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NATIONAL DEFENSE MIGRATION

HEARINGS

BEFORE THE

SELECT COMMITTEE INVESTIGATING NATIONAL DEFENSE MIGRATION HOUSE OF REPRESENTATIVES

SEVENTY-SEVENTH CONGRESS
SECOND SESSION

PURSUANT TO

H. Res. 113

A RESOLUTION TO INQUIRE FURTHER INTO THE INTERSTATE MIGRATION OF CITIZENS, EMPHASIZING THE PRESENT AND POTENTIAL CONSEQUENCES OF THE MIGRATION CAUSED BY THE NATIONAL DEFENSE PROGRAM

PART 29

SAN FRANCISCO HEARINGS

FEBRUARY 21 AND 23, 1942

PROBLEMS OF EVACUATION OF ENEMY ALIENS AND OTHERS FROM PROHIBITED MILITARY ZONES

Printed for the use of the Select Committee Investigating
National Defense Migration

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UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1942

60396

U. S. SUPERINTENDENT OF DOCUMENTS

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NATIONAL DEFENSE MIGRATION

SATURDAY, FEBRUARY 21, 1942

MORNING SESSION

House of Representatives,
Select Committee Investigating
National Defense Migration,
Washington, D. C.

The committee met at 9:45 a. m., in the Post Office Building, San Francisco, Calif., Hon. John H. Tolan (chairman), presiding.

Present were: Representatives John H. Tolan (chairman), of California; Laurence F. Arnold, of Illinois; and John J. Sparkman, of Alabama.

Also present: Dr. Robert K. Lamb, staff director; John W. Abbott, chief field investigator; Leonard A. Thomas, counsel; and F. P. Weber, economist.

The Chairman. The committee will please come to order.

TESTIMONY OF HON. ANGELO J. ROSSI, MAYOR OF THE CITY OF SAN FRANCISCO, CALIF.

The Chairman. Mr. Mayor, we appreciate your coming here this morning. We would like to say to you that at the request of several departments in Washington we were asked to come out here and obtain from the people of the Pacific coast the facts about the war conditions here and any recommendations that the people of the Pacific coast want to give to this committee concerning the problems associated with evacuations from military areas here, so that we may transmit them to Congress. This committee wants to make clear that we are not here to cross-examine any witnesses or put anyone "on the spot." We are here as a fact-finding body. I think that some good will come from this trip for, after all, the Pacific coast is 3,000 miles from Washington and you would be surprised at the number of worried delegations going to Washington from the Pacific coast. So it was thought best to send this committee out here to get the facts.

Before I proceed, Mr. Mayor, will you state who you have with you, for the benefit of the record?

Mayor Rossi. Chief Dullea, chief of police of San Francisco, Mr. Florence McAuliffe, chairman of the morale committee of the civilian defense committee, and Mr. Leland Cutler, who is chairman of the subcommittee of the morale committee.

The Chairman. Thank you. We would like to say to you that we realize that San Francisco is only one of a large number of cities on the west and east coasts which face some dislocations in their economic life because of the enemy alien problem. All of us, of course, are in firm support of President Roosevelt and his Executive order of yesterday, but we feel as Congressmen that these problems, which must be considered first from the military standpoint, have a number of other aspects which require public discussion. For example, evacuation orders seriously affect the economic life of various communities and will in many areas create artificial labor shortages of a temporary nature. In addition, there is the social question of the sort of labor which evacuees should be required to undertake, where they should be located, and what Federal agencies are best able to handle their evacuation.

In addition, there is the question of whether there is need for a flexible policy of exceptions which will have to be made to any general wholesale evacuation order. It would seem impossible to treat alien mothers of soldiers in the United States Army in the same way as dangerous enemy aliens.

Another aspect of the far-reaching ramifications of evacuation orders is the question of what will happen to the property of aliens. You can see, therefore, that there are many aspects of the removal of aliens or other persons from military areas which demand very careful and serious attention on the part of public officials and of Congress.

In other words, Mr. Mayor, it has been shown in other countries and will be shown here, I am sure, that you cannot separate civilian morale from Army and Navy morale. We have all got to work together. Now, I understand that you have a brief prepared statement that you would like to read at this time.

Mayor Rossi. I have, Mr. Tolan.

The Chairman. So you may proceed.

Mayor Rossi. I shall be very happy to read this statement. [Reading:]

At the outset I wish the members of this committee to know that I consider the alien problem to be one that is definitely under Federal jurisdiction. This conclusion is confirmed by the Executive order issued yesterday afternoon by President Roosevelt.

Heretofore, the officials of San Francisco have been informed by Federal authorities that it was not only a Federal problem but that it was one to which they, themselves, intended to and would give exclusive attention. Although heed was given to this admonition, nevertheless, whenever requested, full cooperation has been furnished to the Federal authorities by the officials of San Francisco, particularly by those connected with its police department.

While I am glad to furnish this committee with my views upon this most important subject—important to the individual involved, as well as to the city, State and Nation—I can readily appreciate that any opinion expressed by me must and undoubtedly will be assumed to be my personal opinion. However, my consideration of the problems here involved has led me to form certain rather definite conclusions.

EFFECT OF EVACUATION ON RESIDENTS

I am of the belief that the seriousness of having alien enemies in our midst is self-evident. Their presence might not only affect the property of our citizenry and our Government but it might also affect the very lives and welfare of all of our people. The problem is a most difficult one, but we are living in times when a delicate problem must be firmly dealt with. It is true that the recent drastic measures against enemy aliens have caused great anxiety and distress among this group of people. It is true also that as a result of these measures many San Francisco families will be deprived of their livelihood. Many families will have to abandon their homes, their businesses, and their occupations; parents will have to abandon their children and go elsewhere. The great majority of noncitizens in this area is made up of elderly men and women whom I believe for the most part to be industrious, peaceful and law-abiding residents of this community. Most of them have native-born children. Many of them have sons in the armed forces and both sons and daughters engaged in defense industries and civilian defense activities. It is the well-considered opinion of many that most of these people are entirely loyal to this Nation; are in accord with its form of Government, believe in its ideals and have an affection for its traditions and that under no circumstances would they engage in any subversive activities or conduct.

It has been said that the measures which are proposed to be taken against these aliens, instead of making for national solidarity and unity of effort in this emergency may cause dissatisfaction and resentment among those of alien parentage. In my opinion all of the above-mentioned elements should be given serious consideration before any more drastic measures are taken. In my opinion the above-mentioned facts apply particularly to the German and Italian alien problems. Their problems should be considered separately from those of the Japanese.

The Japanese situation should be given immediate attention. It admits of no delay. The activities of the Japanese saboteurs and fifth columnists in Honolulu and on the battle fronts in the Pacific have forced me to the conclusion that every Japanese alien should be removed from this community. I am also strongly of the conviction that Japanese who are American citizens should be subjected to a more detailed and all-encompassing investigation. After investigation, if it is found that these citizens are not loyal to this country they, too, should be removed from the community.

The general statements I made at the outset, I repeat, pertain mainly to persons of German and Italian origin, many of whom are engaged in business, occupations pursued by them for years, the character of some of which necessarily enters into the welfare of San Francisco. The great majority of these aliens likewise have children, most of whom were born, reared, and educated in this community and are law-abiding citizens.

It must be obvious that if these alien residents about whom I have just made mention are moved from San Francisco, separated from their children and families, and deprived of the occupations in which they are now and for years have been engaged, they will be subjected to extreme hardship, mental distress, and suffering.

My opinion is that such results should be avoided, and that evacuation of Axis aliens, other than Japanese, should be avoided unless deemed imperative. If immediate removal is deemed necessary, as quickly thereafter as is conveniently practical, such aliens should be permitted to make application to resume their former places of residence (other than in prohibited areas) and their present occupations and such applications should be heard by some appropriate tribunal which could quickly and intelligently determine the same, and that in the event such applicant is found to be a person of loyalty and integrity, the desired permit be issued, subject, however, to such restrictions as might be deemed necessary.

EFFECT ON COMMUNITY OF EVACUATION OF WORKERS

It is my belief that what may happen to German and Italian aliens on and after February 24, 1942, as a result of their removal from this community should be given immediate consideration. I believe that some satisfactory and equitable solution of the problems that under such circumstances will arise should be immediately brought about. I refer particularly to fishermen, janitors, garbage collectors, produce and vegetable workers in markets, and the alien workers in various other fields of human activity, all of whom will have to be provided with special permits in order to enable them to carry on their occupations and engage in the conduct of their business after 9 p. m. if the ordinary commercial routine of our city is to be maintained. Aside from these manual workers there are a number of aliens engaged in the practice of their professions who likewise will be affected by the 9 p. m. regulations to which attention should be given.

In my opinion, in order to avoid injustice being done, the investigation of such individual case of German and Italian aliens is absolutely necessary.

I believe it is appropriate that I should advise this committee that we have in our community many outstanding citizens of high standing of all nationalities. These citizens are willing to cooperate in every possible way to assist the duly constituted authorities in solving the problems above mentioned and would be glad to act upon request. The Department of Morale of the Civilian Defense Council is in touch with these citizens and will gladly recommend to the proper officials their names.

I wish to urge upon this committee the necessity of executing every effort to bring about an increase in the staffs of the local Federal Bureau of Investigation, of the Department of Naturalization, and the Department of Immigration. Each of these departments is confronted with an enormous task. At the present time all these departments are understaffed. The dependency of this community upon these three organizations is enormous.

Gentlemen, I submit these thoughts to you and if you are desirous of more detail than I have been able to outline, I believe it would be well to call upon either Mr. Florence M. McAuliffe, chief of the morale service of the San Francisco Civilian Defense Council, or Mr. Leland W. Cutler, chairman of the subcommittee of the morale service on racial and national problems in San Francisco. His committee has been studying this problem for some time past. I am reliably informed that Attorney General Earl Warren, who is the chief law-enforcement officer of the State of California, has personally pursued an intensive investigation with respect to the alien problem in this State, and that during the last few days he has personally communicated by teletype with a large number of peace officers located at various places throughout California for the purpose of obtaining their views respecting the subject matter of this inquiry. My understanding is that this information has already been obtained by him. It is my opinion that, through Attorney General Warren, reliable information can be obtained respecting many of the matters which are here involved. Moreover, his personal views and judgment should be of great value.

As outlined in your letter, this committee is desirous of determining whether a coordinated policy is being followed in which all units of government—local, State, and Federal—are participating. This statement can best be made by Charles W. Dullea, chief of police of the city and county of San Francisco and local coordinator and director of civilian defense. It is my suggestion that you call upon Chief Dullea for such facts as are within his knowledge. [Ends reading.]

The Chairman. I think, Mr. Mayor, that we will hear all of your testimony first, and then if the other gentlemen on the panel have anything they desire to say, they will be heard. Regarding Attorney General Warren, he is here now and will follow you on the stand.

Now, Mr. Mayor, the committee is much interested in your statement, particularly in regard to the effect of the present evacuation orders on various sections of the San Francisco population. Can you tell us something more about the effect on fishermen, on janitors, scavengers, and other occupational groups in the city affected by the order? Is there anything you want to add?

Mayor Rossi. Well, Mr. Chairman, I probably could add to the general statement which I have made, but I understand that Mr. Chauncey Tramutulo is to be a witness later. He has all those facts and figures as to the number of aliens employed in those particular locations.

SYSTEM OF APPEALS SUGGESTED

The Chairman. Thank you for that suggestion, because we don't want duplication. We have a full day's work. As I understand it, Mr. Mayor, in your statement you have suggested the establishment of some system of appeal by which each case could be reviewed so that loyal aliens and citizens evacuated from military areas could be permitted to return to their civilian occupation. Do you believe that such a system is necessary in order to give us a flexible approach to the handling of this problem?

Mayor Rossi. There is no question about that.

The Chairman. You think that the right of appeal would be a good idea?

Mayor Rossi. Yes; and federally constituted authorities should set up such a tribunal.

The Chairman. Without going into too much detail, could you tell us of any hardship cases that you think might result here on account of the evacuation order?

Mayor Rossi. I am satisfied that Mr. McAuliffe or Mr. Cutler, who have made a study of this problem for the past year, can best answer that question.

The Chairman. Fine. Do you know, Mr. Mayor, if any plans have been made regarding the disposition of property here as a result of the evacuation?

Mayor Rossi. You mean insofar as the aliens are concerned?

The Chairman. Yes. Is there an office of the Alien Property Custodian on the west coast in San Francisco that you know of?

Mayor Rossi. Not that I know of.

TESTIMONY OF CHARLES W. DULLEA, CHIEF OF POLICE OF THE CITY OF SAN FRANCISCO, CALIF.

Chief Dullea. The property that was recently taken up as a result of a Federal order, that is, the radios and cameras, are held in custody by the police and they are in the process of being turned over to the United States marshal. United States Marshal Vice is going to take them over. I don't think there is an alien property custodian here.

The marshal is making arrangements to take over now. We are holding about 6,000 pieces.

The Chairman. It also occurs to me at this time that there is such property as furniture, livestock, and things of that kind. But you don't know of any regional office here so far, do you? I may say to you, Chief, that we tried to ascertain just what the set-up was yesterday by telephoning Washington. However, we intend to get first-hand information about just what has been done and what should be done. It is going to be a terrific problem, is it not?

Chief Dullea. Well, I can tell you all I know. In the surrender of the cameras and the radios, approximately 6,000 pieces were taken into possession by the police and they are being held at our district stations until such time as the marshal can take them over.

The Chairman. As the larger evacuation takes place, the property taken will be greatly in excess of radios.

Chief Dullea. This was a minor surrender.

The Chairman. Don't you think that there should be a regional office here in San Francisco for that purpose? Don't you think that there should be a regional office here of the Alien Property Custodian?

Chief Dullea. I know the property of the aliens should be protected and taken into custody.

The Chairman. Mr. Mayor, I might ask you this question. Has there been any confusion in the authority or coordination of the agencies here in San Francisco ?

Mayor Rossi. None that I know of.

The Chairman. As far as you know, they are working in harmony?

Mayor Rossi. Absolutely. And, as I say, Chief Dullea has been working with the State and Federal authorities, cooperating with them in every possible way.

The Chairman. Mr. Cutler, was there anything that you wanted to add at this time?

TESTIMONY OF LELAND W. CUTLER, CHAIRMAN OF THE SUBCOMMITTEE OF THE MORALE SERVICE ON RACIAL AND NATIONAL PROBLEMS IN SAN FRANCISCO, CALIF.

Mr. Cutler. The members of my committee, which deals directly with the racial and nationality groups and the alien problem, would without exception endorse fully everything that Mayor Rossi reported.

I know the great relief he felt in the Executive order of the President yesterday, which expressed the opinion of the community without question. The only thing that we hope for is that there be great flexibility in dealing with the problem of the regulations concerning these aliens after 9 o'clock at night, who have a great deal to do with the routine business of our city. It is very important that there should be great flexibility.

But as to the different treatment of the Germans and Italians and Japanese, we also agree very fully with the mayor's attitude on that. However, we do stress the advisability of flexibility.

The CHAIRMAN. Do any of you gentlemen know anything about Maurice Harrison's committee? I just heard about that this morning.

Mr. CUTLER. Under Attorney General Biddle there was set up a commission of which Mr. Ira Lillick was the chairman, and Mr. Maurice Harrison a member, both attorneys, and Mr. Marshall Dill. This committee heard immediate cases which came before them and made the decision as to whether those cases should be interned or set free. They worked very steadily at it for a period of months and disposed of a great many immediate cases.

I think the mayor had in mind a similar committee which might be set up by the Federal Government to take care of these cases.

Is that substantially correct, Mr. Mayor and Mr. McAuliffe?

Mayor ROSSI. That is correct.

Mr. MCAULIFFE. That is correct.

TESTIMONY OF FLORENCE M. McAULIFFE, CHIEF OF THE MORALE SERVICE OF THE SAN FRANCISCO CIVILIAN DEFENSE COUNCIL, SAN FRANCISCO, CALIF.

Mr. MCAULIFFE. If I may interrupt right there, I believe that the mayor's statement is all-inclusive and states the opinion of San Francisco. The only supplemental remark I would make is this: That we in San Francisco know we are in a theater of war operations and know that the general of the Fourth Corps Area is our commanding officer, and nothing that we say here today should be interpreted as making any suggestions of a military nature of any kind. We are quite content to take his leadership. We do, however, believe that if some steps could be taken to put a tribunal of some kind, either under the Army or under some other agency of the Government, to pass on these worthy cases of alien citizens so that particular harm shall not be done to good citizens of San Francisco or their children and their dependents, that would break a bottleneck and would not in any way interfere with the orderly affairs of the Army in this district.

The CHAIRMAN. In other words, after the war is over we still have to live in this country, don't we?

Mr. MCAULIFFE. Correct.

The CHAIRMAN. Chief, is there anything else you have to offer?

COOPERATION BETWEEN STATE AND FEDERAL AGENCIES

Chief DULLEA. No; only that I want to repeat what the mayor said as to the cooperation that exists between the local police and the State and Federal agencies. We work in the closest cooperative spirit and absolute harmony, interchanging ideas and assistance. The F. B. I. and some other agencies are not as strongly manned as local police departments and they frequently call upon us for manpower, as they did this morning. It is no longer a secret, but we have about 150 men working right at this minute with the F. B. I. on a round-up here in San Francisco. They reported at 8 o'clock this morning.

The CHAIRMAN. Yes, Chief. We have heard about your good work away back in Washington.

Chief DULLEA. Thank you.

The CHAIRMAN. Is there anything else, gentlemen? If not, we will excuse you and with deep appreciation on the part of the committee.

Mr. SPARKMAN. There is one question, Mayor, that I want to ask you gentlemen before you leave.

I was interested in the suggestion that all of you made with reference to some tribunal to review these cases in order to lend flexibility to the enforcement of any evacuation that we have. What would that tribunal be? Would it be civilian or military?

Mr. MCAULIFFE. That would be up to General DeWitt. Whatever he said would be satisfactory to this community.

Mr. SPARKMAN. That is what I wanted to be certain about. In other words, you would advocate flexibility, but you would leave the whole thing up to the one who has charge of the defenses of the area?

Mr. MCAULIFFE. Yes.

The CHAIRMAN. Are you all in agreement with that?

Mr. CUTLER. We are.

Mr. MCAULIFFE. That is correct. We are all in concurrence with that. The only recommendation that Mayor Rossi makes in his statement is that any assistance that the authorities desire, we are prepared to give. We have a group of people in San Francisco who are quite all right. They can render valuable assistance if asked for.

Mr. SPARKMAN. But you would leave final enforcement entirely to the person who has final responsibility for the defense of this area?

Mayor ROSSI. Absolutely.

Mr. CUTLER. Without any questions whatever.

Mr. SPARKMAN. I wanted to be sure that we were clear on that.

Mayor ROSSI. There is no question about that.

The CHAIRMAN. I want to say before you gentlemen go that this committee hasn't any idea of coming out here and dictating to the Army any more than you have, but the Army and the Navy and the Department of Justice in Washington wanted us to come out here and get the views of the people of the Pacific coast, as they may be of great assistance to the Army. That is our position and I think that is your position, too, is it not?

Mayor ROSSI. That is right.

Chief DULLEA. Right.

The CHAIRMAN. Thank you very much. We appreciate your coming here. It is going to be a very valuable contribution.

Mayor ROSSI. Mr. Chairman and members of the committee, we appreciate you gentlemen coming out here to get the facts at first-hand, and we consider it a privilege to appear before you. If you wish any further information we would be very happy to give it to you.

The CHAIRMAN. I would say, furthermore, if there is anything that occurs to you as a result of the hearings here in San Francisco that you think should go in the record, we will hold it open for you.

Mayor ROSSI. Thank you very much.

The CHAIRMAN. Mr. Warren.

TESTIMONY OF HON. EARL WARREN, ATTORNEY GENERAL OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIF.

The CHAIRMAN. Attorney General Warren, will you be seated please? I want to say to you that we appreciate your coming here because we think that you have some very valuable information. We shall give you the widest latitude. We are not here to cross-examine any witnesses—not that you could not take care of yourself. I found out 25 years ago that in the trial of a lawsuit you take very good care of yourself. But we do want to get the thought over to you gentlemen that you are to proceed in your own way. The statement you submitted will be incorporated in the record at this point.

(Statement referred to above is as follows:)

STATEMENT BY HON. EARL WARREN, ATTORNEY GENERAL OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIF.

LOCATION OF JAPANESE IN CALIFORNIA AS SHOWN BY MAPS OF THE COUNTIES

Early in February 1942, I requested the district attorneys of those counties of the State having a Japanese population to have prepared maps of their counties showing all lands owned, occupied, or controlled by Japanese, including American-born Japanese as well as Japanese aliens. The district attorneys, with the assistance of their sheriffs, county agricultural commissioners, and county and city assessors, have now completed such maps for the following counties of the State:

Alameda
Butte
Colusa
Contra Costa
Fresno
Glenn
Humboldt
Kings
Madera
Marin
Mendocino
Merced
Monterey
Napa
Placer
Plumas
Sacramento
San Diego
San Francisco
San Joaquin
San Luis Obispo
San Mateo
Santa Barbara
Santa Clara
Santa Cruz
Shasta
Solano
Sonoma
Stanislaus
Sutter
Tehama
Tulare
Ventura
Yolo
Yuba

The originals of these maps are in my possession and duplicates have been retained by the district attorney in each county.

An inspection of these maps shows a disturbing situation. It shows that along the coast from Marin County to the Mexican border virtually every important strategic location and installation has one or more Japanese in its immediate vicinity. The same situation exists in those counties of the Sacramento and San Joaquin Valleys that have any considerable Japanese population, and in San Bernardino, Riverside, and Imperial Counties.

I am attaching to this extension of my testimony as exhibit A a list of some of the particular points where Japanese are immediately adjacent to strategic points as shown by the maps of counties of California. This list, lengthy though it is, by no means includes all such points. It does not even include all such points shown on the maps. It is intended to be merely illustrative and not exhaustive. In addition, it should be understood that for obvious reasons the maps do not show our coastal defense and very few of our war industries. That there are Japanese in the immediate vicinity of many such establishments is unquestionably the fact. The sheriff of one coastal county has reported to me that in his county Japanese farmers are working within a grenade throw of coast-defense guns; and the sheriff of another that it is necessary to pass through the yards of three Japanese farmers to reach certain coast-defense installations located in his county. That our war industries also have numerous Japs in their vicinity is, I believe, quite clear from the file of letters from law enforcement officers in all parts of the State.

Notwithstanding the fact that the county maps showing the location of Japanese lands have omitted most coastal defenses and war industries, still it is plain from them that in our coastal counties, from Point Reyes south, virtually every feasible landing beach, air field, railroad, highway, powerhouse, power line, gas storage tank, gas pipe line, oil field, water reservoir or pumping plant, water conduit, telephone transmission line, radio station, and other points of strategic importance have several—and usually a considerable number—of Japanese in their immediate vicinity. The same situation prevails in all of the interior counties that have any considerable Japanese population.

I do not mean to suggest that it should be thought that all of these Japanese who are adjacent to strategic points are knowing parties to some vast conspiracy to destroy our State by sudden and mass sabotage. Undoubtedly, the presence of many of these persons in their present locations is mere coincidence, but it would seem equally beyond doubt that the presence of others is not coincidence. It would seem difficult, for example, to explain the situation in Santa Barbara County by coincidence alone.

In the northern end of that county is Camp Cook where, I am informed, the only armored division on the Pacific coast will be located. The only practical entrance to Camp Cook is on the secondary road through the town of Lompoc. The maps show this entrance is flanked with Japanese property, and it is impossible to move a single man or a piece of equipment in or out of Camp Cook without having it pass under the scrutiny of numerous Japanese. I have been informed that the destruction of the bridges along the road to Camp Cook would effectually bottle up that establishment for an indefinite time, exit to the south being impossible because of extremely high mountains and to the north because of a number of washes with vertical banks 50 to 60 feet deep. There are numerous Japanese close to these bridges.

Immediately north of Camp Cook is a stretch of open beach ideally suited for landing purposes, extending for 15 or 20 miles, on which almost the only inhabitants are Japanese.

Throughout the Santa Maria Valley and including the cities of Santa Maria and Guadalupe every utility, airfield, bridge, telephone, and power line or other facility of importance is flanked by Japanese, and they even surround the oil fields in this area. Only a few miles south, however, is the Santa Ynez Valley, an area equally as productive agriculturally as the Santa Maria Valley and with lands equally available for purchase and lease, but without any strategic installations whatever. There are no Japanese in the Santa Ynez Valley.

Similarly, along the coastal plain of Santa Barbara County from Gaviota south, the entire plain, though narrow, is subject to intensive cultivation. Yet the only Japanese in this area are located immediately adjacent to such widely separated points as the El Capitan oil field, Elwood oil field, Summerland oil field, Santa Barbara Airport, and Santa Barbara Lighthouse and Harbor entrance, and there are no Japanese on the equally attractive lands between these points.

Such a distribution of the Japanese population appears to manifest something more than coincidence. But, in any case, it is certainly evident that the Japanese population of California is, as a whole, ideally situated, with reference to points of strategic importance, to carry into execution a tremendous program of sabotage on a mass scale should any considerable number of them be inclined to do so.

The problems of a law-enforcement officer presented by this situation can only be appreciated when it is remembered that law enforcement officers do not know which of these Japanese are American citizens and which are aliens.

JAPANESE ORGANIZATIONS

An additional factor in the danger and one which would probably not be apparent to persons unfamiliar with the California Japanese lies in the fact that the Japanese in this State are very closely organized. There are a large number of Japanese organizations covering every branch of life. There are Japanese agricultural, commercial, educational, social, religious, and patriotic associations in every Japanese community. Almost every Japanese in the State is included in one or more of these organizations.

The actions of individual Japanese have been in the past very largely controlled by the organizations to which they belong. Although the several organizations in Japanese communities are concerned with different fields of activity, they are all quite closely integrated by means of interlocking directorates and officers, honorary advisers, and interlocking membership among the ordinary members. This organizational machinery, reaching as it does into every phase of Japanese life and exercising very real control over the actions and conduct of most of the Japanese in the State, is a type of organization that is ideally adapted to carrying out a plan for mass sabotage. If the leadership of the main Japanese organizations fell into the wrong hands, it is quite conceivable that some, though certainly not all, of the Japanese organizations could be utilized for carrying on a program of sabotage and fifth-column activity.

State and local law enforcement authorities have no other knowledge of the purposes and objectives of Japanese organizations than what has been acquired from common experience with the Japanese in their several communities, the investigation of all subversive matters having been left to the Federal Bureau of Investigation in accord with the request of the President. However, the interrelationship of the many Japanese associations and their control over the Japanese population of the State has been a matter of general knowledge and has been apparent from items appearing in the Japanese newspapers. These Japanese newspaper items also show that in the past years there has been a close relationship between Japanese associations in California and parent or governmental organizations in Japan and that on many occasions the associations in California have contributed to and assisted in the war effort of the Japanese Government.

While we have no complete information as to the number of Japanese organizations existing in California, Japanese sources indicate that the number is large. Thus the public press carried an item from Tokyo April 25, 1941, to the effect that the Japanese "Central Council of Overseas Organizations announced that there are 2,700 Japanese organizations in the United States, representatives of which will meet for a convention in Tokyo in November 1941."

The organization of Japanese in California follows a quite definite pattern. The associations are almost invariably broken down into very small units, dependent upon geographical location and graduating into larger and larger units of the association until all are embraced in at least a State-wide organization. A typical example is the Japanese Association of the Gardena Valley which at first glance would appear to be a very small organization. It is composed, however, of a large number of other smaller organizations and thus includes within its control a very large number of persons. At the same time it is a component of larger district and State organizations. The true situation appears from a petition filed by the Japanese Association of Gardena Valley under date of September 4, 1932, directed to the Administrator of the National Industrial Recovery Act, disclosing that the association represents some 11 vegetable growers' associations in Gardena Valley, consisting of approximately 1,200 members.

Similarly, a resolution adopted on September 2, 1934, by the Japanese Vegetable Growers of Orange and Los Angeles Counties, protesting against certain provisions of the Code of Fair Competition for the Wholesale Fresh Fruit and Vegetable Distributive Industries in the cities of Vernon and Los Angeles, shows the resolution to have been signed by a large number of Japanese, each of whom in turn was the representative of a smaller Japanese organization, the total number of individuals who are members of all of the associations being of necessity quite large. In this case the resolution was signed by representatives of the following Japanese organizations:

Irvine Farmers Association.
San Fernando Industrial Association.
Long Beach Farmers Association.
Growers Association of San Gabriel Valley.
Vista Vegetable Growers Association.
Orange County Japanese Association.
Garden Grape and Berry Growers Association.
Nippon-California Farmers Association.
Burbank Farmers Association.

Laguna Beach Farmers Association.
Norwalk Farmers Association.
Industrial Association of Montebello.
Growers Association of San Pedro.
Japanese Association of Gardena Valley.
Lomita and Walteria Industrial Association.
Santa Ana Garden Grove Japanese Association.
San Gabriel Valley Japanese Association.

The Japanese social, cultural, and educational associations have a similar integrated structure. At the top of the pyramid is the Japanese Association of America in Northern California and the Japanese Central Association in Southern California. The connection between these associations and the Japanese Government has always been very close. The Japanese Association of America was organized many years ago and its bylaws provide:

"ARTICLE 3. This association is organized by the local Japanese association under the jurisdiction of the Japanese consulate general of San Francisco."

That the Japanese associations as organizations have in the past supported and aided the military campaigns of the Japanese Government is beyond doubt. The contributions of these associations toward the Japanese war effort have been freely published in Japanese papers throughout California. Some of these newspaper items are as follows:

"MARCH 13, 1941.—Thirty-two bales of tinfoil were shipped to Japan through the Japanese consulate general and were contributed by Japanese associations of Fresno County, Kern County, Delano, and San Bernardino.

"JULY 6, 1941.—Central California Japanese Association announces the collection and transmission to the War Ministry of the sum of $3,512.05.

"MARCH 6, 1938.—G. Yoshida, San Francisco Japanese Association, yesterday sent 400 pounds of tinfoil, making a record total of 2,800 pounds of tinfoil which he has collected, according to the records of the consul general's office."

The Japanese Veterans Association was similarly engaged:

"MARCH 20, 1941.—It is announced that the War Veterans Associations in Japan, Germany, and Italy, in keeping with the spirit of the Axis Treaty, have formed joint and advisory committees to aid and establish the new world order. There are 3½ million veterans and reservists, headed by General Imei, who have pledged their cooperation to Axis aims."

"JULY 6, 1941. The Japanese Veterans Association of America, in its sixty-sixth meeting, reported the collection of $5,968.60, making a total of $29,440.34 yen collected and transmitted to Japan for use of the military services, the collection being from Japanese organizations in the following places: Chico, Monterey, Tulare, Thornton, Richmond, Sonoma County, Eden Township, Alameda County, Marin County, Lodi, Mountain View, Alvarado, San Benito County, Contra Costa County, Watsonville, Santa Cruz, Redwood City, Vacaville, San Mateo, Bingham, Utah, Berkeley, Oakland, San Francisco, Pescadero, Salinas, Ogden, Utah, Reno, Nevada, Honeyville, Rock Springs, Wyoming, Idaho Falls, Idaho, Salt Lake City."

The same item announces that during the 5 years since the outbreak of the China incident, the organization has collected 850,000 yen for the aid of Japanese soldiers and a tremendous number of bundles for Japanese soldiers overseas. It was announced further that because of the American freezing policy against Japan it would no longer be possible to transmit relief funds and that the organization had decided to disband.

At one time it is said the association numbered 8,000 members and at the meeting at which dissolution was decided upon some 300 representatives were present. At that meeting it was announced that $2,300 which had not been transmitted to Japan was caught by the freezing order. The meeting closed with the showing of a Japanese motion picture entitled "Flaming Skies."

This organization sponsored the tour of Maj. G. Tanaka, of the Japanese Army, and a member of the army general staff, who arrived in San Francisco January 1, 1941, with full uniform, sword, and medals and toured the State lecturing before various Japanese groups, eventually returning to Japan via New York. While here, he is reported to have said: "Japan and the United States will go to war this autumn."

PREFECTURAL ASSOCIATIONS

These associations are composed of natives of a particular prefecture living in the locality where the association is located. They usually hold annual joint conventions attended by natives from that particular prefecture, who come from all over the United States. There are 21 prefectural societies in San Francisco alone. These associations, like most other Japanese organizations, have in past years actively engaged in the collection of money and materials for the Japanese war effort. Most of these funds are accumulated by the associations as gifts from members, usually made to commemorate some family occurrence, as a birth, death, marriage, or departure on a trip, the money being transmitted to Japan. No one knows how much material and money has been collected by these organizations, but the Japanese newspapers have been replete for years with items of which the following are typical:

"March 6, 1938.—Mr. Shidgu Oka, on behalf of the Okayama Overseas Association, has been appointed by the collection committee and is engaged in collecting army service funds in San Bernardino from natives of Okayama.

"Visalia, February 13, 1939.—Natives of Hiroshima Prefecture, Anza District, village of Yakki, each contributed $10 to buy bundles for the families of soldiers sent overseas from the village. The funds were sent to the Japanese Town Hall in Visalia."

The Japanese produce associations have similarly supported the Japanese war effort. For example, Japanese papers in 1937 carried the thanks and acknowledgment of the Japanese Minister of War for contributions to army funds of the Chula Vista Mellon Growers Association as follows:

"Referring to the recent incident and the service funds and packages contributed for the expeditionary forces, I am grateful, and hereby express my most sincere thanks. Signed General Sugiyama, Minister of War. Dated December 19, 1937.

"July 27, 1941. It was announced that the Niland Produce Association contributed $35 to the Japanese military attaché of the Imperial Embassy in Washington, D. C."

Besides sending financial and material support to Japan, the Japanese associations have also engaged as organizations, and almost uniformly, in promoting loyalty to Japan and the Japanese Emperor in the hearts of all Japanese in California.

In Tokyo, under date of April 25, 1941, the Central Council of Overseas Organizations announced that there are 2,700 Japanese organizations in the United States, representatives of which will meet for a conference in Tokyo in November 1941. The character of the Central Council of Overseas Organizations is easily determined from the nature of the Imperial Rule Assistance Association, which is the most important organization in the central council. The Imperial Rule Assistance Association is the Japanese Fascist Party and its officers are the present heads of the Japanese Government. The Japanese papers in California have from time to time carried news items concerning the Imperial Rule Assistance Association which are not without significance. For example, under date of October 11, 1941, it was announced from Tokyo that the association has decided (1) to assemble and study all reports on the Far Eastern situation; (2) to completely propagandize the advance Asia idea; (3) to work in cooperative planning; (4) to arrange to shift a portion of the work to Japanese leaders and organizations abroad.

On September 4, 1941, the Imperial Rule Assistance Association announced the formation of a subsidiary organization of Japanese youth over the age of 21 years to follow the same policy as the parent organization, with branches in every prefecture in Japan, to be formed with the aid of officials of the War, Navy, Home, and Education Ministries. And on September 7, 1941, the Congress of Japan-Italian Cultural Society met at Rimini, Italy, the subjects under discussion including: (1) The Fascist Party and its political functions in the lives of the Italian people; (2) Japanese nationalists and the function of the Imperial Rule Assistance Association in the lives of the Japanese people; (3) Japanese youth organizations.

While ostensibly there is no branch of the Imperial Rule Assistance Association in the United States, an organization in California with similar aims is the Military Virtue Society of North America, with headquarters at Alvarado, Alameda County, and a branch office in Tokyo. The purpose of this organization is to instill the Japanese military code of boshido and to teach fencing and other Japanese military exercises among the Japanese throughout North America. This organization is regarded as the most strongly nationalistic Japanese organization in the country and probably the most dangerous.

Although not organized until 1931, its membership and activities have been widespread for several years. Simply as illustrative of its wide territorial extent and rapid spread, is the following item:

"February 13, 1938, Visalia. Yesterday the local branch of the Military Virtue Society of North America in Dinuba met jointly with four other branches, with all members in attendance. Henceforth meetings will be held Tuesday night every week. The southern California branch of the Military Virtue Society will on July 20, beginning at noon in the Koyasan Hall, Los Angeles, hold its yearly military virtue festival and military (fencing) exercises with groups from places as follows competing: Brawley, El Centro, Central School of Los Angeles, Uptown School of Los Angeles, Keystone, Gamita, Redondo Beach, Baldwin, Hawthorne, El Monte, San Bernardino, Riverside, Coachella, Pasadena, Sawtelle, Santa Monica, Alpine, Huntington Beach, Oceanside, San Diego, and Chula Vista, in all numbering 26 groups. A heated contest is anticipated."

The manner in which the Military Virtue Society is closely integrated with other Japanese organizations, both business and social, is well illustrated by the postal addresses of some of its branches. For example, in Alvarado, Alameda County, post office box 215 is the address of the following:

(1) Headquarters, Military Virtue Society of North America.
(2) Kinyai Kumia Finance Association.
(3) Japanese-American News correspondent.
(4) New World Sun correspondent.
(5) Hochi Shimbun correspondent.
(6) Alvarado Japanese School.
(7) Takichi Nakamura (president), Military Virtue Society of North America.

In Sebastopol, post-office box 57 is the address of the following:

(1) Military Virtue Society of North America.
(2) Japanese Sunday school.
(3) Hiroshima Prefectural Society.
(4) Sabura baseball team.

In Suisun, post-office box 252 is the address of:

(1) Military Virtue Society of North America.
(2) Mint Grill.
(3) Suisun Fishing Club.

In Auburn, post-office box 57 is the address of:

(1) Military Virtue Society of North America.
(2) Japanese School.
(3) Young Men's Buddhist Association.
(4) Young Women's Buddhist Association.
(5) Buddhist Church.

In Lindsay, 157 Mount Vernon Avenue is the address of:

(1) Military Virtue Society of North America.
(2) Japanese School.
(3) Lindsay Women's Association.

The locations of the regional headquarters of the Military Virtue Society of North America are:

Southern California area: 230 Terminal Island.
Seattle branch: 503 Main Street.
Fresno area: 832 F Street.
Sacramento area: 1300 Fourth Street.

Another Japanese organizational activity which is worth noting is the Kibei Shimin movement. The Kibei Shimin movement was sponsored by Japanese Association of America and had as its policy the encouragement of the return to America from Japan of American-born Japanese. At the time the movement commenced it was ascertained that there were around 50,000 American-born Japanese in Japan. The Japanese Association of America sent representatives to Japan to confer with prefectural officials on the problems of financing and transportation, and a policy of publicity to induce these Japanese to return to America. The Japanese Association of America also arranged with the steamship companies for special rates for groups of 10 or more returning to America and requested all Japanese associations to secure employment for returning American-born Japanese. In addition, they printed leaflets and sponsored lectures throughout Japan to urge American-born Japanese to return to this country. That this campaign was successful in securing the return of a large number of American-born Japanese is apparent.

Newspaper items such as the following are typical:

"May, 1936. Tatsuki Sahada, president of the Woodland Japanese Association, returned to America with several American-born Japanese whose return he sponsored, and reported on his efforts on behalf of the Kibei movement."

Though born in America, most of the Japanese who have returned to this country as a result of the Kibei movement are unable to speak English. These American-born Japanese, educated in Japan, and who have returned to this country instilled with loyalty to the Emperor and with Japanese patriotic fervor, have formed an organization of their own known as the Kibei Shimin which is evidently of considerable size. On February 24, 1941, a San Francisco Japanese newspaper carried the following item, which gives some idea of the extent of the Kibei movement:

"The convention committee of the Kibei Shimin, together with representatives of the Japanese organizations backing them, met at the Japanese Association Hall in San Francisco to discuss plans for the convention. It was decided to have a contest for a 50-word slogan for the convention for which prizes would be given. Slogans should be mailed to the Kibei Shimin convention, 1623 Webster Street, San Francisco."

That Japanese in California are thoroughly conscious of and interested in their relationship to military figures in Japan is illustrated by the following item:

[The Japanese-American News]

"San Francisco, August 14, 1941.—Admiral Neimi, commander and chief of our squadron dispatched to the South Pacific, and upon whose shoulders rests the full power of the Japanese Navy and pressure in the South Pacific, has relatives in Fowler we heard. After seeking and looking for them it was disclosed that in the area lived a farmer by name of Akira Soraoka. We heard from his wife, 'He is our younger cousin, not our brother. Three years ago Neimi was attached to the party of Prince Chichibu and attended the crowning of the former King George VI of England, and on his way through the United States back to Japan we saw him in Fresno, and later received from the admiral's elder sister Mineko detailed letters about our birthplace and about the admiral. Seich is a good man and we did not think he would go to the front. However, having been entrusted with great national responsibility, we pray from a distance that he will live completely free from accident.' "

There are also Japanese organizations devoted to the worship of particular persons. For example, the Meiji Kai, which is devoted to the worship of Emperor Meiji. Also the Togo Kai, devoted to the worship of Admiral Togo and holding observances, particularly on the 10th day of August, in commemoration of the Battle of the Japan Sea. This society has headquarters in Japan and branches throughout the United States; in San Francisco the Togo Society being at 1860 Buchanan Street; in Sacramento at 1309½ Fourth Street. At the same address in Sacramento is also located the Japanese Association of Sacramento, the Sacramento Produce Association, and the Sacramento Sewing School. The personnel of the Togo Kai is thought to be composed mainly of former naval officers and reserve officers.

Another important Japanese organization existing in California is the Japanese Tourist Bureau, which, at the suggestion of the Imperial Rule Assistance Association, changed its name to the East Asia Travel Agency. This organization is a subsidiary of the board of tourist industries operating under the Japanese Ministry of Communications. It maintained agencies in a number of cities in the United States, usually in connection with Japanese transportation companies. It published a series of pamphlets in English on Japan, Japanese art, culture, etc., and made available motion-picture films through the Japanese consulate on Japan. It also sponsored broadcasts in English from Japan for the benefit of American-born Japanese.

One of these persons thus sponsored was Kazumaro (Buddy) Uno, an American-born Japanese formerly on the staff of the New World Sun newspaper. He was employed by the Japanese Tourist Bureau to travel to Japan, China, Korea, and Manchukuo, and returned to the United States where he was given office space in the office of the consulate general in San Francisco, from which headquarters he made trips over the entire west coast making speeches to groups of American-born Japanese.

The significance of these integrated Japanese associations lies in the fact that through them it is possible for those at the head to exercise control over the conduct of other Japanese throughout the State. All persons coming into close contact with the Japanese in California have seen repeated manifestations of such control. Many examples could be cited. The experience of Mr. Homer Harris, secretary-manager of the Associated Produce Dealers and Brokers of Los Angeles, a concern which has one of the largest produce markets in the State, is typical. In 1939 the commission merchants in his market had under consideration the matter of charging an increased percentage as commission, and called a mass meeting of commission merchants in the market to consider the question.

Although more than half of the commission houses in the market were Japanese, only one Japanese came, and he was secretary of the Japanese Produce Merchants Association. The white commission merchants insisted on talking to his members as being merchants like themselves. The Japanese representative said he would try to get his people out for the week following. When the day arrived, only one Japanese merchant appeared with the secretary. However, about 10 days later the Japanese commission men through their secretary announced a willingness to increase their commission rate and notices were thereupon sent out to the growers. A week later the secretary of the Japanese Produce Merchants Association came back to the white commission men and informed them they could not stand by their agreement which they had made and signed. When they were asked why they could not the secretary informed Mr. Harris that although the Japanese commission men hated to welsh on the agreement they were compelled to do so by the Central Japanese Association, which was insistent on no increase in commissions as a result of representations made to the Central Japanese Association by the Japanese Southern California Farm Federation, an organization of Japanese growers. Indeed through his years of experience, Mr. Harris states that every detail of the business of Japanese commission men in his market is subject to the control of the Japanese associations, and it has always been evident that no Japanese can take any action contrary to the orders and dictates of the Japanese Associations to which he belongs.

With integrated organizations such as these exercising such complete control over the conduct of all Japanese in the State, it is quite evident that it would be extremely easy for those at the top to direct the Japanese throughout the State and wherever located in a widespread simultaneous campaign of sabotage which could carry the most serious consequences.

ALIEN LAND LAW

The California alien land law is the only statute available to law-enforcement officers to meet the situation presented by the presence of Japanese in many strategic localities. The statute is, however, by no means a complete remedy for the condition. In some of the most menacing situations the citizenship of the parties has been found to be such that the alien land law has no application. However, in spite of its limitations I believe the statute is applicable in enough serious cases to be of some assistance at least in meeting the law enforcement problem.

The purpose of the alien land law is to reserve ownership and control of the land, either to citizens or to those aliens who are eligible to become citizens. The statute denies to aliens who are ineligible to citizenship the right to acquire or possess real property or any interest in it except insofar as such rights may be conferred by a treaty between the alien country and the United States. The statute declares a conspiracy to violate its terms to be a felony. It also provides that the interest of any alien in real property held in violation of the terms of the law shall escheat to the State. These are the only sanctions provided. In previous efforts to enforce the alien land law great difficulty was experienced because of the lack of evidence to prove the alien's place of birth from which his lack of citizenship and ineligibility thereto would appear. In 1927 two sections were added to the statute which were intended to place upon the defendant-alien the burden of proving citizenship, but these sections have been held to be unconstitutional by the United States Supreme Court for all practical purposes. It is to be hoped that the alien registration records of the United States Immigration and Naturalization Service will be made available for use in evidence in alien land law cases. I have requested Major Schofield, who is the special assistant to the United States Attorney General in charge of Immigration and Naturalization

Service on behalf of all of the law enforcement officers of the State for such permission.

If the alien registration records are not made available no doubt the same difficulties of proof will be experienced as in former years. On February 2 of this year, I called a meeting which was attended by the district attorneys and sheriffs of some 40 counties, at which it was decided that an immediate survey should be made of the land ownership in each county and that appropriate proceedings should be commenced in cases where the alien land law was being violated. The first step in the survey was the preparation of maps for each county showing all lands owned, leased, or occupied by Japanese. It was not until these maps were prepared that we realized how thoroughly the Japanese had infiltrated themselves into every strategic spot in our coastal and valley counties.

CONSENSUS OF LAW-ENFORCEMENT OFFICERS UPON THE SERIOUSNESS OF THE SITUATION AND THE STEPS WHICH SHOULD BE TAKEN TO REMEDY IT

Upon learning that the House Committee Investigating National Defense Migration desired to ascertain the nature and extent of the law-enforcement problem arising from the presence of enemy aliens in California, I wrote to all sheriffs, district attorneys, and chiefs of police in the larger cities of the State, asking their views on the matter, and particularly on—

1. What, in your opinion, is the extent of the danger by way of sabotage and fifth-column activities in your jurisdiction and in the State as a whole arising from the presence of enemy aliens?
2. Do you believe that the danger can be adequately controlled by treating all enemy aliens alike regardless of nationality, or do you believe that we should differentiate among them as to nationality?
3. What protective measures do you believe should be taken with reference to each nationality or with reference to enemy aliens as a whole, in order to eliminate the danger of sabotage and fifth-column activities?

Photostatic copies of the replies received to this inquiry are attached hereto as exhibit B. These letters make evident, I believe, that it is almost a universal conviction among law enforcement officers in California that there is grave and immediate danger of sabotage and fifth-column activities from the Japanese population and that their removal at once from the vicinity of vital establishments and areas is imperative in order to eliminate such danger. The letters also express their opinions as to the relative danger from Japanese, German, and Italian aliens.

THE VIEWS OF FARM ORGANIZATIONS AS TO THE EFFECT UPON CALIFORNIA AGRICULTURE OF THE REMOVAL OF JAPANESE THEREFROM

It seems quite plain that the necessities of the present situation require the removal of the Japanese from a considerable portion if not from all of California. Such a course will obviously have a definite effect upon agriculture in this State. While I do not feel qualified to prophesy on this subject, I have been asked to present to the committee the view of a considerable number of farm organizations which are undoubtedly so qualified. Consequently, I am attaching hereto as exhibit C photostatic copies of letters expressing the views of the Grower-Shipper Vegetable Association of Salinas, Western Growers' Protective Association of Los Angeles, Associated Produce Dealers and Brokers of Los Angeles, and the Farm Bureaus of Butte County, Fresno County, Imperial County, Kern County, Los Angeles County, Merced County, Orange County, Riverside County, Sacramento County, San Bernardino County, San Joaquin County, Siskiyou County, Solano County, Sonoma County, Stanislaus County, Sutter County, Tulare County, Yolo County, and Yuba County. While these letters must speak for themselves, the organizations are consistently of the opinion that the removal of Japanese from California would have an appreciable but not a serious effect upon California agriculture.

CONCLUSION

During these difficult times State and local law-enforcement officers have uniformly received the finest cooperation from the Intelligence Services of the United States Navy and the United States Army, as well as from the Federal Bureau of Investigation. This latter organization, charged as it is with our internal security, and our protection against espionage and sabotage, has had a tremendous task and one of peculiar difficulty in California by reason of the very large number of aliens here, and the numerous vital war industries and defense installations. Those of us who are sufficiently close to law-enforcement work to realize the size and intricacies of the problem and the difficulties of investigation with which the Federal Bureau of Investigation has had to contend are of the opinion that the Bureau has always been on the alert, diligent in its efforts, cooperative with State and local authorities, and has done the best job possible under the circumstances to protect our State against all subversive activities.

Exhibit A.—Particular Points Where Japanese Are Immediately Adjacent to Strategic Points in Counties of California

ALAMEDA COUNTY

Japs adjacent to new Livermore Military Airport.

Japs adjacent to Southern Pacific and Western Pacific Railroads.

Japs in vicinity of Oakland Airport.

Japs in vicinity of Holt Caterpillar Tractor Co., San Leandro.

Many Japs along Western Pacific and Southern Pacific Railroad rights-of-way.

Many Japs on the approaches to the San Mateo-Hayward Bridge.

Many Japs on the approaches to the Dumbarton Bridge, including the highway bridge, Southern Pacific and Hetch Hetchy Aqueduct Bridges.

Japs adjacent to the sugar refinery near Alvarado.

Four Japs directly on the Hetch Hetchy Aqueduct, and many more in close vicinity.

Eight or ten Japs within 1 mile of the western portal of the Hetch Hetchy Tunnel.

BAY CITIES

Heavy sprinkling of Japs in west Berkeley in vicinity of numerous defense industries.

Heavy sprinkling of Japs in west Oakland in the vicinity of industries and the United States naval depot.

In south Oakland, Japs in the vicinity of Moore Ship Yards, Southern Pacific and Western Pacific shops, and Santa Fe freight yard.

Numerous Japs in Alameda within a few minutes of the naval air base, San Francisco Bay Airdrome and Bethlehem shipyards.

BUTTE COUNTY

Jap adjacent to Chico airport.

Two Japs along Cherokee Canal and Northern Canal.

Japs in the vicinity of numerous highway and railroad bridges near Gridley, Biggs, Oroville, and Chico.

Numerous Japs in the vicinity of vital Feather River levees between Gridley and Oroville.

COLUSA COUNTY

Jap within 2 miles of East Park Reservoir Dam.

Numerous Japs on vital Sacramento River levees in the neighborhood of Colusa and Grimes.

CONTRA COSTA COUNTY

Numerous Japs on Webb tract, Holland tract, Orward tract, all of which are inflammable islands enclosed by levees.

Numerous Japs on main line Santa Fe Railroad in the vicinity of Oakley and on Southern Pacific main line in the vicinity of Brentwood and Byron.

Japs adjacent to highway bridge across San Joaquin River between Byron and Stockton.

Japs in vicinity of California Cap Works and within 2 miles of Richmond shipyards, Ford Motor Co., Standard Oil refinery, Standard Oil tank farm, and Giant powder works.

Four Japs within 2 miles of Broadway low level highway tunnel.

Japs within 1 mile of Lafayette Dam.

Jap within 1 mile of St. Mary's College to be used as a Navy training school.

Jap at mouth of vital Santa Fe tunnel, Glen Frazer.

Numerous Japs within 2 miles of very high Santa Fe viaduct at Muir.

Numerous Japs within a few miles of Shell Oil refinery at Martinez.

Numerous Japs within a few miles of Associated Oil refinery at Avon.

Numerous Japs adjacent to air port at Concord, power station at Concord, and Cowell Portland Cement Co.

FRESNO COUNTY

Japanese located adjacent to the Shell Oil tank farm in the Coalinga oil field.

Three Japanese tracts owned by the State Farm Co., adjacent to the main line railroad, main north and south telephone line, and Tidewater Associated Oil Co. pipe line. This corporation is known to have engaged in shipping farm machinery, under subterfuges, to Manchukuo.

A number of Japanese not far from the new Friant Dam.

A tremendous dispersal of Japanese throughout the Fresno area, with innumerable roads giving access to main facilities, including railroads, highways, telephone lines, pipe lines, Chandler Airport, and Hammond Field Airport.

KINGS COUNTY

Japanese oil company in Kettleman Hills oil fields.

Jap in vicinity of Kettleman oil fields.

Jap adjacent to Kings River Bridge close to Southern California Gas Co. pipe line and near Lemoore air base.

MADERA COUNTY

Jap adjacent to Madera City waterworks, and Pacific Gas & Electric substation.

Japs in close vicinity to highway and railway bridge across the Fresno River.

Japanese in vicinity of important warehouses.

MARIN COUNTY

Japs in Sausalito close to Fort Baker, Golden Gate Bridge, with full view of traffic in and out of San Francisco Bay.

Japanese in Belvedere, with full view of all traffic through Racoon Straits and San Francisco Bay, and within 1 mile of naval depot at California City.

In Sausalito, Jap across the street from boat works.

Fifteen Japs adjacent to United States Coast Guard station, Drakes Bay, Point Reyes Lighthouse, United States naval compass station, telephone company trans-Pacific broadcasting, R. C. A. trans-Pacific broadcasting and United States Air Force bombing practice range. These people also have immediate access to 25 miles of uninhabited open beach.

Japs along water conduit supplying Hamilton Field.

MENDOCINO COUNTY

Japanese at bridge and important levee at Hopland.

Japanese adjacent to airport at Ukiah.

MERCED COUNTY

Many Japs in vicinity of important railroad and highway bridges across the Merced River.

MONTEREY COUNTY

Japanese living in close proximity to the highway bridge across the Pajaro River, the sole highway connection between Fort McQuaide and Camp Ord.

On tracts 8 and 55, Japanese are living immediately adjacent to Fort Ord.

Tract 50 is located on the highway over which all traffic to Fort Ord passes.

Japanese tract No. 75 is immediately adjacent to the experimental station where the only guayule seedlings in the United States are being grown and is directly across the road from the Salinas Airport.

Tracts 21, 22, 28, 26, and 29 are immediately adjacent to an emergency landing field.

Tracts 82, 34, and 79 extend on both sides of a railroad underpass of sufficient importance to warrant the continued presence of armed guards.

Tract 133 is on the Salinas River and includes a stretch of levee regarded as extremely hazardous in the event of a break because it would result in flooding the Spreckels Sugar Refinery.

Tract 100 is immediately adjacent to a quarry where explosives are stored.

The map of the city of Salinas shows a large Japanese subdivision adjacent to the Pacific Gas & Electric substation and close to the Southern Pacific Railroad yards.

NAPA COUNTY

Japs in vicinity of the important bridge across the Napa River, at Napa.

Japs in vicinity of Gordon Valley Dam.

PLACER COUNTY

A large number of Japanese congregated in the vicinity of Auburn with easy access to the railroad and highway through Donner Pass. These lines have a large number of vulnerable tunnels, trestles, and slides, and are not only main lines to the East but are supply lines between the naval ammunition dump at Hawthorne, Nev., and the Pacific naval bases.

Roseville.—Japanese adjacent to Southern Pacific machine shops, roundhouses, and freight yards.

SACRAMENTO COUNTY

Many Japs along important Sacramento River levees and near important highway and railroad bridges across the river at Sacramento and other places.

Many Japs adjacent to Sacramento Municipal Airport.

Japs adjacent to Pacific Gas & Electric substation.

Japs close to Mather Field.

Japs close to McClellan Field.

Japs close to American River bridges.

CITY OF SACRAMENTO

Japs immediately adjacent to State capitol and State offices, M Street Bridge, Southern Pacific shops and roundhouses, and Pacific Gas & Electric power plants.

SAN DIEGO COUNTY

Thirty miles of open coast broken by small water courses with a Jap on every water course.

Thirty miles of main railroad and highway easily blocked by slides, etc., with Japs throughout their entire length.

Large number of Japs within few miles of naval ammunition depot and on both sides of main highway from depot.

Japs at bridge across San Luis Reyes River carrying all traffic to and from ammunition depot.

Japs immediately adjacent to water wells, pumps, and pipe lines supplying important military reservations.

Japs along water lines supplying all of central portion of the county.

Jap adjacent to Camp Callin.

Jap adjacent to marine rifle range.

Jap adjacent to power line supplying Camp Callin.

Japs adjacent to all highway and railroad bridges across the San Diego River.

Japs adjacent to all dams supplying water to San Diego and vicinity.

Japs surrounding Solar Aircraft plant at National City.

Japs surrounding Rohr Aircraft parts plant at Chula Vista.

Japs close to main water pumping plant supplying Coronado and naval air station at North Island.

Japs adjacent to Navy airport at Reem Field.

Japs adjacent to Army airport at Border Field.

Japs adjacent to all power lines supplying the city of San Diego and vicinity.

Numerous Japs sprinkled throughout city of Coronado with full view of all shipping in and out of San Diego Bay.

Japs in the vicinity of United States destroyer base.

Japs in the vicinity of United States naval supply depot.

Japs in the vicinity of Coast Guard depot.

Japs in the vicinity of Ryan Airplane plant.

Japs in the vicinity of three Consolidated Aircraft plants.

Japs in the vicinity of the United States Marine Corps base, naval training station, and Fort Rosecrans military reservation.

Japs overlooking municipal airport.

SAN JOAQUIN COUNTY

Stockton.—Jap on the Stockton Deep Water Channel across from quartermasters' motor depot.

Japs adjacent to Pacific Gas & Electric power plant and Pacific Gas & Electric gas plant.

Japs adjacent to Western Pacific and Southern Pacific railroad yards.

Japs adjacent to United States Air Corps in transit depot.

Japs adjacent to Stockton Field, United States Army airport.

Japs surrounding San Joaquin County General Hospital.

Japs along Southern Pacific and Western Pacific rights-of-way.

SAN LUIS OBISPO COUNTY

Tract 1 is occupied by Japanese at Cambria where a submarine recently torpedoed two American ships.

Tracts 64 to 69, inclusive, are located on the bluffs along the ocean shore. Japanese in this vicinity have been reported to be farming within a grenade throw of coast defense guns.

The strip of coast from Pismo south into Santa Barbara County is an extremely flat open beach, perfectly adapted to landing operations and is occupied almost exclusively by Japanese.

SAN MATEO COUNTY

Japanese along coast and in vicinity of Pescadero.

Japanese in vicinity of Half Moon Bay.

Jap near Half Moon Bay substation.

Jap near San Mateo substation.

Japs adjacent to Belmont Airport.

Japs adjacent to important war industries in San Carlos.

Japs in vicinity of San Carlos Airport.

Japs on the approaches to Dumbarton Bridge, highway, railroad, and Hetch Hetchy Aqueduct.

SANTA BARBARA COUNTY

A strip of beach at the north end of the county extends to Pismo, which beach is entirely open to landing in both Santa Barbara and San Luis Obispo Counties, and in each county Japanese are living almost the entire length of the beach.

In the city of Santa Maria the following Japanese-owned parcels are located in the vicinity of strategic points: 60, 61, and 63 are adjacent to the principal San Francisco-Los Angeles telephone lines, main power lines, and Pacific coast highway; 58, 102, and 53 are close to a gas storage plant and power substation; 65 is next to the hospital; 56 is next to the water reservoir and water works; 56 and 96 are close to the United States airport and the latter tract is also close to a hospital.

The Santa Maria oil field is practically surrounded by Japanese-occupied lands on the north side, and on parcel No. 113 there are Japanese actually living within the oil fields.

Tract 70 is adjacent to the water plant and close to the Orcutt oil field.

Japanese lands in the vicinity of Lompoc completely cover the only entrance to Camp Cook where the only armored division of the Army on the coast will be shortly located. The road to Camp Cook passes through the city of Lompoc and all traffic to and from the camp must pass under the scrutiny of several Japanese occupants on various tracts of land. Those Japs are also immediately adjacent to the Camp Cook water wells. They can, with very little difficulty, block the entrance to Camp Cook since the southern end of the camp is extremely mountainous and completely impassable and the northern end is almost the same by reason of mountains and barrancas with perpendicular sides, some of which are 50 to 60 feet deep.

The Santa Ynez Valley is noteworthy inasmuch as it is a valley equally fertile with the Santa Maria Valley, but with no strategic points located in it, and not a single Japanese living in it.

The El Capitan oil field is heavily infiltrated with Japanese. This is a particularly important oil field because of the extremely high gravity of the oil produced there. These Japanese and many others farther south are abreast of the main railroad, telephone lines, power line, and highway between San Francisco and Los Angeles, and the only such highway between Camp Cook and points south. On the coast road there are a large number of high trestles and bridges, the destruction of any of which would make the roads, both vehicle and rail, impassable and would leave them in such a condition that it would take a very long time to repair them.

Japanese parcel 14 is close to the Goleta oil field. Japanese parcels 13, 15, 16, 18, and 19 are in close proximity to the Santa Barbara Airport, two important gas storage plants, gas lines, main railroad line, main highway and radio broadcasting station (shelled by Jap submarine).

In the vicinity of the city of Santa Barbara the United States lighthouse on the coast is completely surrounded by Japanese-occupied lands which are situated on the bluff overlooking the sea.

In the vicinity of Montecito the Summerland oil field, with oil wells located on long piers extending into the sea, is completely surrounded by Japanese-occupied lands.

Japanese properties in Santa Barbara are so located that if their occupants acted in unison they could, within a space of a few hours, destroy railroad and highway communications with all points north and south, make the passage from Camp Cook south impossible, fire four important oil fields, destroy north and south telephone connections, several large gas plants, a lighthouse and a radio station and be in a position to assist an enemy landing on the coast.

SANTA CLARA COUNTY

Jap near Southern Pacific Railway and highway overpass at Sargent and Pajaro River Bridge.

Many Japs along Southern Pacific right-of-way.

Japs on Coyote Creek in vicinity of important dams.

Number of Japs within 1½ miles of Permanente magnesium and cement plants.

Japs adjacent to Stanford Airport.

Japs within less than 1 mile from Palo Alto Airport.

Japs within 1 mile of Mackay radio station.

Moffett Field surrounded by Japs on three sides.

Jap adjacent to Hendy Iron Works at Sunnyvale.

Japs on Southern Pacific right-of-way at Alviso.

Japs in vicinity of radio station KQW.

Japs along Southern Pacific right-of-way between Palo Alto and San Jose.

Japs adjacent to San Jose Airport.

Many Japs along Southern Pacific right-of-way between San Jose and Morgan Hill.

Japs along Southern Pacific and Western Pacific rights-of-way between San Jose and Milpitas.

SANTA CRUZ COUNTY

Japs adjacent to Camp McQuaide.

Japs adjacent to all highways leading to Camp McQuaide.

Japs on Southern Pacific right-of-way between Aptos and Watsonville.

Japs along beach in neighborhood of Watsonville.

Japs at bridges across the Pajaro River.

Japs in Chittenden Pass through which the main highway and railroad pass.

SHASTA COUNTY

Jap in vicinity of Hat Creek powerhouse and dam.

SOLANO COUNTY

Fairfield.—Jap adjacent to Pacific Gas & Electric substation and Pacific Gas & Electric gas plant.

Jap in vicinity of Vacaville fire department and telephone exchange.

Japs on Ryer Island, Liberty Island, and Prospect with important levees.

SONOMA COUNTY

Number of Japs within 2 miles of Petaluma Airport.

STANISLAUS COUNTY

Large number of Japs in fire-hazard area.

Japanese in immediate vicinity of two important reservoirs, one of which is emergency seaplane landing area.

Jap at Southern Pacific railroad bridge across Tuolumne River at Waterford.

Jap adjacent to Hetch Hetchy power line.

Jap within 1 mile of Turlock bomb factory.

Japs in vicinity of explosive-mixing plant at Modesto.

Japs at important highway and railroad bridges across Tuolumne River.

Japs at important highway and railroad bridges across Stanislaus River.

Japs along main north and south telephone lines, railroad lines, and Highway 99 between Turlock and Salida.

Numerous Japs along railroad between bomb factory and Modesto.

Japs in vicinity of important irrigation pumping plants.

Jap on main highway and Southern Pacific right-of-way at Newman.

SUTTER COUNTY

Many Japs near important levees in the vicinity of Yuba City.

Many Japs in vicinity of important levees along Feather and Yuba Rivers.

TEHAMA COUNTY

Jap on Southern Pacific right-of-way near important highway bridge across Sacramento River.

Japs in vicinity of important highway bridge and Red Bluff.

TULARE COUNTY

Japs along electric transmission line from Big Creek to Los Angeles.

VENTURA COUNTY

Jap in oil tank farm at Ventura.

Japs surrounding water plant in Ventura.

Japs at bridge for highway, gas lines, power lines, and power lines across Santa Clara River.

Japs adjacent to power substations near Santa Paula and Oxnard.

Harbor at Heuneme surrounded by Japs.

Japs at important highway and railroad bridge across Santa Clara River.

Japs along highway, natural gas and power lines between Santa Paula and Piru.

YOLO COUNTY

Jap on Southern Pacific right-of-way near Zamora.

Japs surrounding important warehouses in Woodland.

Many Japs along important Sacramento River levees.

Japs along Pacific Gas & Electric power line.

Japs adjacent to radio station.

Japs adjacent to important railroad and highway bridges across Sacramento River at Sacramento.

Japs in neighborhood of important pumping plant, failure of which would result in flooding Sacramento Airport and important industrial areas.

YUBA COUNTY

Japs in vicinity of important levees around Marysville.

Japs in vicinity of important railroad and highway bridges across Yuba and Feather Rivers, Marysville.

EXHIBIT B.—LETTERS TO ATTORNEY GENERAL WARREN FROM LAW ENFORCEMENT OFFICERS ON THE ENEMY ALIEN PROBLEM

DEPARTMENT OF POLICE,
Los Angeles, Calif., February 19, 1942.

Hon. EARL WARREN,
Attorney General, State of California,
San Francisco, Calif.

DEAR SIR: The enemy alien presents numerous problems to the local law enforcement agencies endeavoring to keep them properly supervised.

Undoubtedly the most serious menaces are potential fifth-column activities, sabotage, and espionage. To properly control these activities, it is necessary to maintain constant police patrols and a constant investigative check on the activities of the enemy alien residing in these districts.

The situation in the Los Angeles area is probably more acute than in any other district, due to the fact that there are approximately 25,000 Japanese within a 5-minute walking distance of our city hall, county hall of justice, hall of records, and the Federal and State buildings. This number, plus an additional five or six thousand, are also within a very short driving distance of our numerous aviation plants and other defense projects, and numerous army encampments which are usually in close proximity to a major defense plant.

The aviation industry presents the gravest situation because this area represents approximately 50 percent of the aviation production of the entire United States. While the sabotage possibilities are fairly well controlled with the protection now afforded, it is an utter impossibility to completely control espionage activities because the information as to production rates, types, and models of planes produced can be readily ascertained from the scrutinizing or photographing of the planes while on the testing fields of these plants, by possible espionage agents living or residing within a reasonable radius.

The method of handling these types of activities is that of additional police personnel being assigned to patrol and investigate units in these suspected areas. With the limited personnel that this department has at the present time, the release of sufficient officers from other required duties to properly supervise this is impossible. In addition to the fire-prevention activities, there is also the increased service of investigating suspects and patrolling and policing of major public utilities.

One condition which creates a hazard is the fact that near the beaches we have large open areas which are utilized by Japanese truck farmers. This is a very fertile field for short-wave receiving and sending sets, as well as signaling devices. A specific instance of this presented itself here on December 8 and 9, wherein a large amount of loose hay was piled in the shape of an arrow pointing to one of our major aviation plants. This was presumably done with the intention of directing aerial activities toward this location.

Due to the complex problems presented in handling this enemy alien situation, I believe that all enemy aliens should be removed from the coastal areas for a distance of 250 to 300 miles, and be supervised in such a manner that they be continually under surveillance of responsible authorities.

It is my opinion that your teletype request overlooked one of our most hazardous situations, which is that of the American-born Japanese. After a thorough and complete investigation of the relationship existing between parents and children, and the tendencies of the American-born Japanese, I feel that they present as difficult, if not a more difficult, problem than the enemy alien. They are cognizant of the American custom of living; they are capable of understanding the American language and inference; and, subject to small limitations, are allowed to associate and mingle with the general American public.

It is a well-known Japanese family tradition that the father of the family is the dominating and guiding factor for the formulating of ideas in his children and there is no doubt that the American-born Japanese is, to a great extent, imbued with the same ideas of his parents. In addition to the family traits and the patriotism for the native country of Japan, you have racial characteristics, that of being a Mongolian, which cannot be obliterated from these persons, regardless of how many generations are born in the United States.

You have, also, one other problem, that of about 40 percent of American-born Japanese having returned, either voluntarily, or at the request of their parents, to Japan, and having received the greater portion of their education in that country. A large number of these Ki-bei have even attended military schools in Japan and the fathers of a considerable number of them have received decorations for military bravery or military administrative work while residing in this country, either prior to, or since, the Ki-bei returned from Japan.

Our officers personally interviewed a large number of the American born Japanese and while some of them stanchly maintained their patriotism to the United States, they all stated that if Japan should be victorious in this war they would have a certain amount of pride for the accomplishment of that country.

It is my opinion that the danger, especially for fifth-column activities in this district, is serious. This is due to the fact that there are some twenty-five to thirty thousand Japanese in this area and the location of a large portion of these are in very strategic areas. These strategic areas are in the very close proximity of the coastal regions where an invasion party would necessarily be landed. I have no doubt that they would lend any and all assistance possible to a Japanese land invasion, and several of the Japanese who are believed to be as patriotic as any, have expressed the above opinion in interviews.

Another situation presents itself in that the areas described above have full and complete view of all navigation in and out of our local harbor and have constant scrutiny of the activities maintained in the harbor districts. Some incidents have happened in our harbor district which lends very strongly to the opinion that espionage information is being, or has been, disseminated from that area.

As to the Italian and German aliens, I feel that they present a lesser menace than the Japanese, due to the fact that we are fortunate in having a smaller number in our midst. However, the number is somewhat offset by the intelligence and viciousness of the German alien. It is a well-known fact that German aliens, before being permitted to come into this country by the German Government, were required to leave some of their immediate relatives or family in Germany, and that they were allowed to come into this country for one specific purpose only, and that was to develop and return certain information to the German Secret Service. If this information is not forwarded, the positive instructions are left with these individuals that their family and friends left in Germany will be mistreated or placed in concentration camps.

This same policy is maintained as to several of the countries which have fallen under German domination since the beginning of the war. To realize the seriousness of this situation, you should consider the Army and Navy activities, etc., in this area and the number of manufacturing plants of defense implements which are readily accessible for sabotage and espionage purpose.

I can see no reason to differentiate between different types of aliens. In my opinion there is only one procedure to follow in handling this situation, which is the concentration of each and every one of the three classes of enemy aliens and I do not feel that any material difference exists in their potential danger to the internal security of this country.

Very truly yours,

C. B. HORRALL,
Chief of Police.

COUNTY OF SAN DIEGO,
San Diego, Calif., February 19, 1942.

Hon. EARL WARREN,
Attorney General of the State of California, State Building,
San Francisco, Calif.

DEAR GENERAL WARREN: Replying to your letter of February 18, 1942, in which you request that I express my views concerning the situation in this county with reference to enemy aliens in order that you may be advised of the sentiment locally, as well as the conditions locally, so as to present the entire matter to the congressional committee on national defense migration, which is to commence its hearing in San Francisco on February 21, 1942, will say that I am making this reply jointly on behalf of Sheriff Bert L. Strand and myself.

As to the three questions which you proposed, and which are as follows:

> (1) What in your opinion is the extent of the danger, by way of sabotage and fifth-column activities in your jurisdiction and in the State as a whole, arising from the presence of enemy aliens?
>
> (2) Do you believe that the danger can be adequately controlled by treating all enemy aliens alike, regardless of nationality, or do you believe that we should differentiate among them as to nationality?

> (3) What protective measures do you believe should be taken with reference to each nationality or with reference to enemy aliens as a whole in order to eliminate the danger of sabotage and fifth-column activities?

our answers are as follows:

(1) It is difficult to estimate the extent of the danger by way of sabotage and fifth-column activities in this jurisdiction. This answer will be amplified, however, by succeeding paragraphs of this letter.

(2) We believe that the danger can be adequately controlled by treating all enemy aliens alike, but we emphasize particularly the possible menace of the Japanese alien in this area.

(3) We believe that all enemy aliens should be interned and that they should be put to work under armed guard in guarded portions of the interior of the United States so that they can be used for the purpose of producing materials and supplies for this Government.

I am enclosing a copy of a resolution adopted by the San Diego County Defense Counsel at a meeting held this morning, after a very thorough discussion of the Japanese situation here. At the meeting held this morning it was discussed, and we believe it to be a fact, that notwithstanding that there are a good many people born in the United States of Japanese ancestors, that these people maintain citizenship in the Empire of Japan although under our Constitution they are deemed to be American citizens. It occurs to me that this is a matter that should be strongly urged to the congressional committee, because it seems to me that this particular situation calls for immediate Federal executive action.

Under separate cover Mr. Harry M. Baugh, chief investigator of my office, has mailed to you certain maps which have been requested by your office, showing the location of land in San Diego County occupied by Japanese. The maps being sent show land or property located within the incorporated area of the city of San Diego occupied by Japanese aliens. Mr. Baugh, in a letter addressed to you, is also sending a key by which these maps may be read, and which is all explained in his letter to you of this date.

Mr. Baugh, I think, points out that the maps are at your earliest convenience to be returned to him so that he may indicate on the maps all enemy aliens, as the maps now show only the location of the Japanese aliens in the city of San Diego, and the farm lands in the county of San Diego occupied by Japanese, some of whom are citizens and some of whom are Japanese nationals.

Trusting this gives you the information you desire, at least in part, I beg to remain

Very sincerely yours,

THOMAS WHELAN,
District Attorney.

COUNTY OF SAN LUIS OBISPO,
San Luis Obispo, Calif., February 20, 1942.

Hon. EARL WARREN,
Attorney General, State of California,
San Francisco, Calif.

DEAR MR. WARREN: This will acknowledge your letter of February 18, and I hasten to reply to the questions mentioned therein.

(1) I believe as long as there is a Japanese alien within accessible distance by foot, car, or train to the military fortifications and important military objectives such as oil, storage plants, railway tunnels, etc., that there is a definite danger of sabotage and fifth column activity. I believe there is a definite danger of sabotage and fifth column activities with reference to the German and Italian aliens but not to the extent or degree that is possible with reference to the Japanese. My opinion, of course, refers only to the State of California.

(2) I am inclined to believe that we should differentiate among the aliens as to nationality and to illustrate my point will call attention to the fact that there are two or three Italians of unquestioned standing in this community whose loyalty to this country could not possibly be questioned.

One man has been working for the Southern Pacific Railroad Co. for 25 years; another man, as I understand it, is an employee of a bank and thought he was naturalized, but because of a technical difficulty finds himself an alien. Another case is a German alien who had taken her first papers and was stopped from finishing her naturalization because of the war. She has a son with the rank of lieutenant in the Navy.

I can cite other cases where I believe it could be proven beyond any question that the Italian or German alien is loyal. However, I do not mean to say or infer that there should not be a careful and thorough check of every alien. I have thought it would be a very good suggestion that a board be set up in each county consisting of the sheriff, district attorney, judge of the superior court and two or three of the well-known or prominent citizens, together with the Federal representatives of the Army and Navy, to determine the status of certain Germans and Italians. I would not apply this rule, however, to the Japanese alien and believe that all should be taken out of California.

(3) If it were possible, I believe the best way would be to take every Japanese alien in the United States and in the possessions of the United States and send them to Japan or find ways and means of getting them there. I believe that we should have as our ultimate objective, the complete alienation from the United States soil of every single Japanese alien. There should be some way to get them back to Japan.

As to the German and Italian aliens, there should be a determination of their status with regard to declaring their loyalty to the United States by application for citizenship, thereby renouncing loyalty to their mother country. I would apply the same rule as to all other German and Italian aliens who did not renounce their allegiance to their mother country and who were not able to convince those in authority of their loyalty to this country.

I believe to an extent that if the aliens cannot be shipped out of this country, they should be placed where they will not compete against the interests of the American people. The best place for them is in a concentration camp without any frills and just the bare necessities for their existence. I personally am of the opinion that the restricted areas of this county are completely inadequate for efficient protection against sabotage.

With reference to the American-born Japanese, there should be a concentrated effort to make them prove themselves, and in this connection, the Federal agencies should call upon the local law enforcement officials to assist.

I have heard of too many cases where the Japanese-American has declared his loyalty, but his actions seemed to belie such a declaration. I believe that the situation will be much improved as soon as the Japanese-alien situation has been fully and completely taken care of and by drastic offensive action.

My personal contacts with the average American citizen on the street has led me to believe that almost without exception they feel the presence of the Japanese alien here is a menace to the country and a hindrance to the war activities of our Government.

I will be more than pleased to lend whatever assistance is within my power to effect any plan developed by the Federal authorities in relation to the alien problem as it affects the county of San Luis Obispo.

Respectfully yours

A. H. Brazil, *District Attorney.*

City and County of San Francisco,
February 19, 1942.

Hon. Earl Warren,
Attorney General, State Building, Civic Center,
San Francisco, Calif.

Dear General: I beg to acknowledge the receipt of your letter of February 18. The letter refers to a teletype sent on February 17. Neither I nor my office received the teletype. However, I am informed by your secretary that your letter of February 18 contains all the matters referred to in your teletype.

Before answering the questions specifically, it occurs to me that I should state some general views I have, that to a great extent control my answers. I believe that if the Japanese should invade California, by airplane, submarine, or in any other way, they will have arranged to have in advance the assistance of various aides in our State. I can see no reason to anticipate that they will omit the precautions they took at Pearl Harbor. Such assistance could take the form of destruction of water mains, interruption of telephone system, dislocation of the fire-prevention measures, significant failures to comply with black-out order, disruption of transportation, and other matters.

I am not in a position to judge how likely such an invasion is or to what extent, for the purpose of reasonable safety, we should guard against its occurrence. I think those are questions to be passed upon by others.

On the subject of sabotage, independent of invasion, I cannot set myself up as having full knowledge on the subject, but my view is that sabotage, independent of invasion, must be taken care of by proper precautions at the industries that would be subject to sabotage.

(1) Directing my attention to the first question, my view is that there is grave danger of sabotage and fifth-column activities in my jurisdiction, in the event of any invasion by the Japanese and, further, that even in the absence of such invasion, if utmost precautions are not taken, sabotage will be committed.

(2) Directing my attention to your second question, I think that, as far as any general orders are concerned, there should be no differentiation as to enemy aliens. Whatever will be the rule, it should apply to all alike. This accomplished, then proper reconsideration may be afforded meritorious cases. Exceptions could be considered as to persons who can demonstrate their loyalty and their absence of alien interests, or physical unfitness to participate in fifth-column activities due to age or infirmity. I would put the burden of proof upon the applicant. This would result, no doubt, in large numbers of Italians, for instance, being permitted to return to their dwellings or possibly remain undisturbed. But the exceptions would be based, not upon the nationality, but upon the evidence they produce of their loyalty and lack of potentiality as dangerous characters.

(3) Directing my attention to the third question, I believe that a general order should be made compelling all enemy aliens to remove from the jurisdictions and areas that could be subject to sabotage and invasion, but as hereinbefore indicated, some later reconsideration be afforded upon a proper showing being made by an enemy alien, regardless of his nationality, that he should be exempted from compliance with the order. I am definitely against taking any chances, and although I realize that many hardships may result, there can be no dispute that the safety of our commonwealth and citizens is second to no other consideration and aim.

How this removal should be carried out, and to what point or points and under what conditions, doubtless will call for the combined views and cooperation of Government, State, and city authorities.

The exodus should be made under proper supervision and guarding.

One other important factor which comes to my mind is the need for careful investigation of workers in shipyards and defense industries, as a means of preventing inside jobs of sabotage.

Also, there should be provided either by State Guard or other agency, proper guarding of established alien concentration areas and industrial plants, bridges and other vulnerable places.

I trust the foregoing covers all of the points on which you desired my views.

Very sincerely yours,

MATTHEW BRADY,
District Attorney.

CITY OF FRESNO POLICE DEPARTMENT,
February 18, 1942.

Hon. EARL WARREN,
Attorney General, San Francisco, Calif.

DEAR SIR: Received your All Points Bulletin teletype of February 17, relative to my recommendations concerning aliens or enemy aliens in my jurisdiction.

I have a number of people that I consider my friends among the enemy aliens in this particular community and have never particularly felt there was any danger from having the resident enemy aliens continue to live here. Since the Federal Government has run all the enemy aliens off the various coastal locations and they have moved into the valley it presents an entirely different picture. The law enforcement officers are continuously investigating reports of oversuspicious citizens and as long as the enemy aliens are permitted to stay in the combat zone they are going to be under suspicion by the officers and the citizens as well.

I believe there is great danger in the entire San Joaquin Valley of sabotage, particularly by fire. There is also considerable feeling against both citizen and alien Japanese by the white race of this valley and I think probably by the white race of the entire State. As long as that feeling exists, we will continue to get exaggerated reports of suspected sabotage. I believe that the danger can be adequately controlled, or at least reduced to a minimum, by removing all enemy aliens from this State, or whatever portion of this State is considered by the Army as being the combat zone in addition to not allowing them in the vicinity of power houses, dams, etc., or even in our mountains where the fire danger is so great.

There should in my opinion be no difference among them as to nationality, unless with the possible Japanese-American citizens who have at any time during the past 10 years been back to Japan and in that case I believe they should be handled in a like manner as the enemy aliens themselves.

In the event no action is taken relative to moving the enemy aliens out of the State, I would suggest that each alien registration card should show the name and address, as well as the occupation of the alien, and should show a definite area to which he should be restricted until such time as he applies for and receives a new registration card allowing him to change his place of living or working.

Trusting these few suggestions will be of some material help and reaching a decision as to what should be done, and assuring you of my willingness at all times to cooperate, I am,

Very truly yours,

R. T. Wallace, *Chief of Police.*

City of Sacramento,
State of California, Department of Police,
February 19, 1942.

Hon. Earl Warren,
Attorney General, State of California, San Francisco, Calif.

Dear Mr. Warren: Please see your letter of February 18th, with regard to the nature and extent of law-enforcement problems arising from the presence of enemy aliens in this State. It is a pleasure to submit below answers to the respective questions contained in your letter.

(1) I do not believe there is any immediate danger of a serious epidemic of sabotage and other fifth-column activity in the vicinity of Sacramento arising from the presence of enemy aliens. Nevertheless, if at any time in the future the military might of Japan should be directed against the Pacific coast or the State of California, I believe a great percentage of those of Japaense descent in the locality being subject to attack would employ every possible means to assist the Japanese invaders.

(2) I do not believe the danger can be adequately controlled by treating all enemy aliens alike—I believe we should differentiate among them as to nationality.

I do not believe the aliens of Italian birth should be considered dangerous; neither do I believe that the aliens of German birth residing on the Pacific coast will prove to be a very grave menace. Also, I do not believe that a combination of Italian, German, and Japanese aliens will constitute a serious hazard because there is no unification of effort between these forces. This belief is substantiated by the fact that many of the Japanese aliens in the Sacramento area who have been questioned by the authorities have stated positively that in case of an attempted invasion by Japanese forces that they would assist Japan. However, these same Japanese aliens have stated just as positively that they would fight against an attempted German invasion of the United States. So it seems to be a matter of loyalty to Japan, their mother country.

(3) I believe all Japanese aliens should be removed from coastal regions with the prohibited area extending at least 500 miles inland.

I believe the German and Italian aliens should be considered individually.

With kindest personal regards, I remain

Sincerely yours,

A. K. McAllister, *Chief of Police.*

City of Santa Paula,
Ventura County, Calif., *February 19, 1942.*

Hon. Earl Warren,
Attorney General, San Francisco, Calif.

Dear Sir: Referring to your letter dated February 18 regarding enemy aliens.

(1) In my opinion there is great danger of sabotage to electric lines, high-pressure gas lines, bridges, and oil lines in my immediate jurisdiction, and various small oil fields which are within a short distance of this city.

(2) I can see no reason why we should attempt to control this danger without treating all enemy aliens alike. While it is true that there are many more Japanese than other enemy aliens, at the same time it is easy to recognize a Japanese as such. Other enemy aliens can mix with citizens of the United States with less chance of being identified as enemy aliens, especially as the enemy alien registration records are not available to local law-enforcement officers.

(3) I believe that all enemy aliens, regardless of nationality, should be moved back not less than 200 miles from the Pacific coast, and in this group I include all Japanese, whether enemy aliens or citizens. In view of the fact that so many Japanese hold dual citizenship and knowing that they are not allowed to mix with the white race, it is natural to expect them to sympathize with Japan.

At the writing of this letter there are very few Japanese in this city. However, we do expect them to move in as they are forced out of other restricted districts.

Thanking you for the opportunity to express my views in this matter, I remain,

Very truly yours,

S. T. PRIMMER, *Chief of Police.*

CITY OF MARYSVILLE, CALIF., POLICE DEPARTMENT,
February 19, 1942.

HON. EARL WARREN,
Attorney General, State Building,
San Francisco, Calif.

DEAR SIR: In reply to your telegram of February 17, 1942.

I feel that with the Army cantonment that is to be built in this territory and this city being as close as it is to the coast the danger of sabotage and fifth-column activity in this territory is very grave, as is the danger to the entire State of California. It is my opinion that the Japanese are the gravest threat but that all enemy aliens should be treated alike regardless of nationality.

All enemy aliens should be interned regardless of nationality. In my opinion all Japanese are a menace whether they are American born or not, however I realize that we probably cannot intern an American-born Japanese but, if possible, I believe that they should be concentrated in certain areas so that they can more easily be watched.

I feel very strongly that there should be no exceptions that all enemy aliens should be interned and that this should be done at once without any more delay.

Yours very truly,

DORELL LA FORTUNE,
Chief of Police.

DISTRICT ATTORNEY OF SANTA CLARA COUNTY,
San Jose, Calif., February 19, 1942.

HON. EARL WARREN,
Attorney General, State Building,
San Francisco, Calif.

MY DEAR MR. WARREN: In reply to your inquiry relative to problems arising from the presence of enemy aliens in this State, will say:

There can be no doubt that one of the most serious dangers that now confronts our Government is, or may shortly be brought about, by fifth-columnist activities. In this county we have not as yet had any demonstration of disloyalty but as men of common sense we know that it exists. We all realize that fifth-columnist activities are not confined exclusively to alien enemies; that we have within our borders men and women springing from every nation who, either for personal gain or for some real or fancied wrong, are not only disloyal to the principals of our Government but, also, are ready and willing to participate in activities against its interests. This being so, we cannot reach a solution of the present problem exclusively along racial lines. I will admit, however, that I believe there is a great danger today from the Japanese population, and particularly from those Japanese who, although born here, have received a liberal amount of their education in Japan. Still, I cannot bring myself to believe that the entire Japanese population is disloyal to this country.

Again referring to Japanese born in this country and educated in Japan, I find that they show a feeling of being a little superior to the Japanese boy raised and educated in this country. This can only be attributed to a loyalty to Japan. I find among our school children that most of the Japanese students attending our schools still manifest a loyalty to our country, joining in patriotic songs, etc., but that occasionally there is a little hesitancy on the part of some to join in patriotic exercises, showing that there is some tendency somewhere to wean them away from us.

As to what action is best to take or whether there should be a wholesale deportation of these people is something that I cannot answer until I have completed the survey that I am making at the present time. In passing, may I state that conditions here, in my opinion, do not justify any action that would disrupt too much our productive ability and our natural everyday business life.

As to differentiating between different nationalities I might add that, in my opinion, there is a difference; that many of our old Italian people who came here years ago and who worked and raised families, and who have been law-abiding citizens, have very little, if any, respect for their native land and which would in no way interfere with their loyalty. Moreover, conditions in European countries are such that many Italian people here today feel that the only solution for their problem over there is for the United States to win this war. These people, naturally, are going to be loyal to us. Locally, a very great percent of our young men who are joining the Army are of Italian parentage, and before any action should be taken to move their parents away from their homes, I believe we should consider seriously the result that that may have upon them as soldiers.

Trusting the above will in some degree assist in answering your questions, although I realize that this problem is one that will take the best thoughts of all of us, I remain

Sincerely yours,

JOHN P. FITZGERALD,
District Attorney of Santa Clara County.

CITY OF MADERA,
Madera, Calif., February 18, 1942.

Re Japanese, Italians, and Germans.

Hon. EARL WARREN,
Attorney General, San Francisco, Calif.

JAPANESE

DEAR SIR: The Japanese question on the Pacific coast appears to the officials of this community to have two things to be considered. One is that if we leave the Japanese loose they will be in position to do, and many of them will do, terrific damage if they get an opportunity. It is impossible for the police officials of the community to tell which Japanese are dangerous and which are not. For this reason, although it will work injustices to some persons, the only safe procedure would be to take up all Japanese and intern them. There are only two possible objections to this course. One is the size of the job. The size of any job is always immaterial if the need is great enough, and it would appear that the need here is great enough. The other objection is that we need the Japanese to produce vegetables. There are many large farmers in this community capable of developing vegetable growing on a large scale, providing they are asked to do the job. They have both the experience and the implements. A discussion with some of these leading farmers is that they believe the job can be done without the Japs.

ITALIANS

The general feeling about the Italians is that they are well assimilated, and we do not regard even the Italian aliens as alien in fact. We also know that loyal Italians would quickly disclose anything they might discover, if others of their race are inclined to get on the wrong side of the picture. This is not true with the Japs. We feel it is safe to let the Italians continue their normal life in this community.

GERMANS

So far as we know, there are no German aliens in this community. If there are any, they are unknown to the officials and they are probably regarded as nationals of this country.

This letter is the result of a discussion on the part of the police force with the city attorney and mayor, and has been signed by all the parties as representing their concurring opinion.

Sincerely,

JOHN G. GORDON, *Mayor.*
SHERWOOD GREEN, *City Attorney.*
WALTER E. THOMAS, *Chief of Police.*

El Centro, Calif,.
February 18, 1942.

Hon. Earl Warren,
Attorney General, State of California,
San Francisco, Calif.

Dear Mr. Warren: Your teletype of February 17, 1942, addressed to "All District Attorneys, Sheriffs, and Chiefs of Police" received. This teletype was called to my attention by Sheriff Ware and we discussed the same at considerable length. The sheriff requested that I prepare an answer incorporating our views on the different questions asked in said teletype.

I shall, therefore, discuss the questions in the order in which they appear in your teletype.

FIRST: "What, in your opinion, is the extent of danger by way of sabotage and fifth-column activities in your jurisdiction and State as a whole caused by present enemy aliens?"

In answering this question, it might be well to state that aside from enemy Japanese aliens we do not have more than six or seven enemy aliens of Germany and Italy combined in this county. As near as we can estimate, there are approximately 800 Japanese enemy aliens in this county. It is our opinion that the danger from sabotage and fifth-column activities from these 800 alien Japanese enemies is tremendous and very serious. As you know, this is strictly an agricultural community which is entirely dependent upon water and the distribution thereof through a gigantic irrigation system. The water is brought to this system from the Colorado River and consists of thousands of miles of main-line canals. There are thousands of tons of alfalfa hay scattered throughout the rural territory. There are thousands of acres of barley, wheat, and flax which is scattered over an area of approximately 850,000 acres. There are hundreds of miles of transmission lines which serve the people of this county with hydroelectric energy. The 800 alien enemies, above mentioned, are scattered over this vast territory, and it would be absolutely humanly impossible for the small force now available in the sheriff's office of this county to make even a pretense of guarding this tremendous farm territory and the irrigation system necessary for its preservation. The sheriff of this county has only 18 paid deputies. In addition to the foregoing, the county of Imperial is a border county. Immediately to the south of Imperial County lies Baja, Calif., in the Republic of Mexico. The Gulf of Lower California is only about 65 miles from Imperial County. All of these factors, combined, make this a very vulnerable field for sabotage and fifth-column activities. The only sane and sensible solution to the entire problem is to evacuate every alien Japanese enemy from this county. This we have been demanding continuously since December 7, 1941. Many telegrams have been sent to the Attorney General of the United States and other Federal authorities demanding that steps be taken to evacuate the Japanese enemy aliens in this area. On February 14, 1942, 32 alien Japanese enemies were removed from this county by the Federal Bureau of Investigation. It is our belief that the balance of the Japanese alien enemies should be treated in a similar manner in order to adequately protect the county of Imperial.

Second: "Do you believe that danger can be adequately controlled by treating all enemy aliens alike regardless of nationality, or do you believe that we should differentiate among them as to nationality?"

All of our alien enemies are joined together in a very closely knit alliance commonly known as the Axis Powers and they should all be treated in the same manner. They are all dominated and controlled by the same ideals and principles, namely, to overthrow and destroy the democracies and subjugate the free peoples of this world; consequently, all alien enemies should be treated alike regardless of their nationality.

Third: "What measures do you believe should be taken with reference to each nationality or enemy aliens as a whole in order to eliminate danger of sabotage and fifth column activities?

It is our belief that immediate evacuation of all enemy aliens is the only solution of the problem. It is absolutely impossible with the small force of police officers available in any county of the State of California to provide adequate protection against the depredations and sabotage which will be committed in the future. The territory involved is so great and the number of enemy aliens so large that it would be impossible for the small forces available to cover the territory.

In conclusion, we believe that the Federal Government is the only agency which can adequately handle this gigantic problem. The Federal Government has exclusive jurisdiction over aliens and unless the Government exercises this jurisdiction local authorities are helpless to protect the people in their community. Criminal prosecutions under peacetime conditions are wholly inadequate to meet the urgency of the present situation. Any criminal prosecution is subject to long delays, and the result obtained is wholly inadequate to meet wartime conditions. What we must have at this time is immediate, swift, and certain action. This can only be provided by the Federal Government itself through evacuation of all alien enemies and their concentration in internment centers provided by the United States Government. Some argument has been put forward that we need these alien enemies to perform labor on farms and industries. Our answer to this contention is that the American people must realize that it is their duty to provide adequate national defense, including agricultural production, and the production of war materials, and they cannot depend upon their alien enemies to perform this task.

We again earnestly and seriously state and urge that, in our opinion, the only solution to this problem is immediate evacuation of all alien enemies from this county. We shall both be very glad to appear in person before the committee if you believe it advisable.

Very truly yours,

Elmer W. Heald,
District Attorney, County of Imperial.
R. W. Ware,
Sheriff, County of Imperial.

Office of District Attorney of Madera County,
Madera, Calif., February 19, 1942.

Hon. Earl Warren,
Attorney General of California,
San Francisco, Calif.

Dear General Warren: As requested in your letter of the 18th, I am setting forth my views in respect to the situation arising from the presence of enemy aliens.

1. At the present time there appears to be no imminent danger of sabotage. However, when the dry season comes on, the season from about May until October, when rainfall is practically nonexistent in this part of the State, the plains are covered with dry grass and dry grain and stubble fields, and the hills and lower mountains with dry grass, brush, and fallen leaves and limbs, the whole country is in a highly inflammable condition. A systematic campaign of incendiarism would cause terrific disaster.

The opportunity for causing incalculable loss in this way is so obvious that we expect it as a matter of course, and are providing extraordinary fire-fighting facilities.

We cannot tell what fifth-column activities are going on, but we believe they are going on. As an instance, both before and after December 7, the most influential Japanese in the county had an unusual number of Japanese calling at his residence at all hours of the day and night. These callers had good cars and seem to be persons of sorts. He had never had such string of callers before.

2. I do not think that all aliens should be treated alike regardless of nationality. We should differentiate between them, both as to nationality and as to citizens and noncitizens, and as to native-born and alien-born.

They should be handled by classes and perhaps individually besides. It is impossible to deal with them, particularly with the Japanese, individually.

3. Our State and Federal laws, supported by a bill of rights, are entirely inadequate to meet the situation. If we are not to run the risk of disaster we must forget such things as the writ of habeas corpus, and the prohibition against unreasonable searches and seizures. The right of self-defense, self-preservation, on behalf of the people, is higher than the bill of rights.

Martial law should be declared over all of California. Military authorities and military police should then:

(a) Remove all Japanese irrespective of age, sex, or citizenship from considerable areas near vital defense industries, and from places furnishing an opportunity for considerable sabotage, and for conveying information to the enemy, say as far as east of the Sierras.

(b) Remove all other enemy aliens and their families (Italian and German) from all zones where they may be a menace, but not such a wide movement as with Japanese.

(c) Remove all persons irrespective of race or nationality or citizenship from such areas.

(d) Intern all enemy aliens and their families who are suspected of being dangerous to the public safety, or keep them under surveilance.

This may result in claims for damages after the war is over. It will be time enough then to adjust it. It may result in injustice but we cannot help it. This is the fortune of war.

If there are then any Japanese who can show that they should be allowed to establish themselves in other places than where interned, adjust this as the occasion arises.

Sheriff Justice agrees substantially with the above views.

Respectfully yours,

George Mordecai, *District Attorney.*

Sheriff's Office, Merced County,
Merced, Calif., February 19, 1942.

In re Enemy aliens.

Hon. Earl Warren,
Attorney General, San Francisco, Calif.

Dear Mr. Warren: Replying to your letter of February 18, the following are my opinions:

(1) I believe that this county and the State of California as a whole are in great danger of a large-scale sabotage plot and fifth-column activity, due to the presence in our midst of so many enemy aliens. I will add that that is the opinion of everyone with whom I come in contact.

(2) I think the danger can be adequately controlled by treating all enemy aliens alike, regardless of nationality, if they are placed in concentration camps under military guard. Too, that we should not try to differentiate among them as to nationality because I do not believe it can be done without running into a great deal of difficulty.

(3) In answer to this question, I think that the only sure way to protect the State against sabotage and fifth-column activity is to place all enemy aliens under military guard. To us here in America, knowing that there are many loyal aliens amongst us, this seems like a very harsh procedure but after all we are at war and there is nothing nice about the whole business. It is impossible for us to do a thorough job of picking between the good and the bad; however, this could be done to some extent. Different types of individuals, background and history, could be segregated as to type and nationality and placed in suitable quarters, as near as possible to their home in this State. By going into the history and background of individual cases and placing them in different groups and having separate institutions for each type of group and nationality. Due to the fact, as stated before, that there are many loyal enemy aliens, great care must be taken in this "sorting" process and proper quarters and environment must be provided to avoid trouble now and in the future.

To avoid disaster, I believe that action must be taken to protect both the State and enemy aliens, as there are already "rumblings" of vigilante activity which has been caused in the main, by the influx of Japanese from the evacuated areas.

If and when all enemy aliens are under guard and properly segregated as to type and nationality and if the preferred class were located in the agricultural areas, then I think it would be possible and practical to allow great numbers of them to do agricultural work under proper guard and supervision. To handle the Japanese situation completely, and considering the fact that in most all cases they are living in Japanese colonies, and also the fact there is so little trust in them, I think it would be a good idea to place military guards around these areas at once, which would give immediate protection to the State and would also relieve the tension and anxiety of the people at large. Then after the alien Japanese have been removed, leave the guard there with instructions suitable to the circumstances.

Yours very sincerely,

N. L. Cornell, *Sheriff.*

POLICE DEPARTMENT,
CITY OF CULVER CITY, CALIF.,
February 19, 1942.

HON. EARL WARREN,
Attorney General, State of California.

DEAR GENERAL: In regard to your inquiry of February 18, 1942, and in answer to your questions:

1. It is my opinion that enemy aliens, particularly in our jurisdiction and in the State as a whole, could and probably are a decided threat to the security of our Nation.

2. It is my firm conviction that all enemy aliens should be treated alike regardless of nationality on a theory that the enemy aliens who are not of the Japanese race could be more active and a greater danger if not so regulated.

3. It is my recommendation that careful and firm enforcement of total internment is the only answer to the problem of eliminating the dangers of sabotage and fifth-column activities.

I am firmly convinced that internment of all alien enemies and in the particular instance of Japanese, I would strongly recommend that the Nishi be interned together with the Ishi, for the reason that those who have been born in this country are considered to be American citizens and until they are truly proved to be such in their hearts, they should be more than pleased to submit to internment rather than place the security of our Nation in jeopardy. It of course stands to reason that if they should object to such treatment, they could not be looked upon as being true and loyal Americans.

Trusting that the above personal opinions will be of assistance, I am,

Very truly yours,

W. A. MCDONALD, *Chief of Police.*

OFFICE OF CHIEF OF POLICE,
South San Francisco, Calif., February 19, 1942.

HON. EARL WARREN,
Attorney General,
Sacramento, Calif.

HONORABLE SIR: In reply to your letter of February 18, regarding your teletype message issued on February 17 to all sheriffs, district attorneys, and chiefs of police, please be advised that to date we have not received a copy of same.

However, in response to your inquiry regarding enemy aliens I wish to note the following. Here in South San Francisco their are 42 major industrial plants all in production of defense materials. Some of these plants are: W. P. Fuller, Swift & Co., Armour Co., United Packing, Union stockyards, Marine Chemical Co., Metal & Thermit Co., Bethlehem Steel Co., Enterprise Foundry, Edwards Wire Rope Co., Western Pipe & Steel Co. Shipbuilding plant, DuPont Paint Co., Hammond Aircraft, and Mills Field, known as San Francisco Airport.

As to regards of extent of danger from sabotage, please be advised that several of these are large concerns such as Western Pipe & Steel, Bethlehem Steel Co., Enterprise Foundry and many others engaged in defense work. Quite a number of these factories are within 500 feet of the Bayshore Highway. There are several spots from Southern Pacific tunnel No. 5 to Mills Field where a small mortar could be placed at night and within a half hour several million dollars worth of damage could be done.

Absolutely no protection is being furnished to forestall fifth column activities along this highway. Saboteurs could go without restriction to the gates and fences of many of these factories as there are so many enemy aliens in the surrounding territory the danger here from fifth-column activities is very pronounced, and the opportunities offered are extremely obvious.

Our opinion is that all Japanese should be forced to leave defense areas and other enemy aliens controlled as to movements and places of residence. None allowed within one-half mile of any defense plant.

United States Army should adequately patrol the Bayshore Highway from the Southern Pacific Tunnel to a point beyond Mills Field and particularly within close proximity to the factories along the Bayshore Highway. A survey by someone in high authority should immediately be made to determine the extent of danger in leaving this area unguarded.

I have tried to obtain a list of enemy aliens here in South San Francisco according to the last alien registration and from the Federal Government but have been unable to do so. Your help in this matter would be greatly appreciated. There are no Japanese enemy aliens here in South San Francisco.

If there should be any further information that you may want regarding this, kindly let me know.

Respectfully yours,

LOUIS BELLONI, *Chief of Police.*

EXHIBIT C.—COMMUNICATION FROM THE FILES OF ATTORNEY GENERAL WARREN ON THE AGRICULTURAL ASPECT OF ENEMY ALIEN EVACUATION

GROWER-SHIPPER VEGETABLE ASSOCIATION,
Salinas, Calif., February 20, 1942.

Mr. WARREN OLNEY,
Assistant Attorney General, State Building,
San Francisco, Calif.

DEAR MR. OLNEY: In line with our conversation of yesterday, we are forwarding you complete data on the Japanese acreage situation as compiled by our president, Mr. E. M. Seifert, Jr.

We think that this statement will give you some of the vital facts that you have been looking for the past 2 or 3 weeks, and we sincerely hope it will assist you in convincing Congressman Tolan's committee that our stories in reference to the American farmer being able to produce all the necessary vegetables required by our Nation and that the loss of the Japanese farmer certainly will not affect California production.

Sincerely yours,

AUSTIN E. ANSON, *Secretary-Manager.*

Only 1 percent (0.00995) of all the vegetables produced in the United States for processing (canning, freezing, etc., excluding canned tomatoes) is grown or controlled by Japanese growers in California.

Authority for this statement is taken from the United States Department of Agriculture, Crop Reporting Board of Acreage and Production of Commercial Truck Crops in the United States for 1941, released as of December 1, 1941.

The following statements are made in an attempt to prove the relative unimportance of truck crop production in California by Japanese. Those studying this report must bear in mind that all acreage and production figures are taken from the United States Department of Agriculture report above referred to.

Only 3½ percent (0.0356) of all commercial truck crops grown in the United States are produced by Japanese in California (Japanese here include both aliens and American citizens.)

Only 4¾ percent (0.04772) of all the vegetables produced in the United States for processing (canning, freezing, etc., excluding canned tomatoes) is grown in California.

Only 8½ percent (0.0868) of all the vegetables produced in the United States for processing including canned tomatoes, is grown in California.

The largest important item for cannery purposes, and which is generally considered a very important item for defense and for lend-lease to Britain is canned tomatoes.

Of all the production in the United States, California grows only 18 percent (0.1832) of the cannery tomatoes, and this percentage includes all Japanese production. On a tonnage basis, the 10-year average for the United States, 1930–39, shows that California produced, including Japanese production, only 18 percent of the cannery tomatoes.

After a careful canvass of those in the industry, who should know, it was estimated that of the total acreage in California, on which cannery tomatoes are produced, the astoundingly large figure of 60 percent is credited to Japanese production, which means acreage either supervised, owned, or controlled by Japanese or on which acreage Japanese labor is used. Nevertheless only 11 percent (0.1094) of the tomatoes canned in the United States is produced by Japanese in

California, and it is suggested that if this item is important enough, canned tomatoes be rationed to our citizens, curtailing supplies to them by 15 percent and we will then have an increased figure in canned tomatoes produced, instead of a decrease.

Even if all Japanese acreage is completely eliminated and not any of the so-called abandoned acreage is either taken up by white growers or new acreage produced by white growers.

Only 25 percent (0.2296) of all the vegetables produced in California for fresh market and for fresh consumption is grown by California Japanese or Japanese influence in California, notwithstanding the various reports we have read and heard in the newspapers and over the radio, ranging from 37 to 80 percent.

Only 4½ percent (0.04508) of all the fresh vegetables grown in the United States are produced by California Japanese or Japanese influence in California.

As above stated the largest single item, which seems to be important, is canned tomatoes. Thus far, no consideration has been given to whites taking over evacuated Japanese acreage or evacuated acreage being replaced by new acreage grown by whites.

In the Wasco, Shafter, and Bakersfield area, approximately 35,000 acres of early potatoes are grown, most of which are harvested during April and May. The need for a replacement of probable evacuated Japanese acreage was brought to the attention of one grower in Bakersfield, who personally increased his already large acreage by 500 acres of canning tomatoes, and has called a meeting for Friday noon, February 19, at which time a total of 2,000 acres will be signed with the cannery. The climate in and around the Bakersfield area is suitable to the production of tomato plants on lettuce beds and open fields, whereas other districts must use hotbeds or coldframes. This one firm is in position to grow 10 million plants for use in other districts, provided they can be furnished only 125 pounds of tomato seed. By immediate action being taken, there seems little question but what this district alone would have an additional 5,000 acres on which cannery tomatoes could be planted.

In the Salinas district, where very few tomatoes had been previously grown, already lettuce and carrot growers have signed with a local cannery for almost 500 acres of cannery tomatoes.

It is safe to assume that in even considering all the new acreage which growers could be persuaded to plant as a patriotic effort, undoubtedly no less than 50 percent of evacuated Japanese acreage would be taken up by white growers, thereby reducing the prospective shortage by the probable complete loss of all Japanese-grown acreage, to less than 5 percent of the pack for the United States.

No actual figures are available showing the exact percentage of Japanese-grown or Japanese-influenced acreage for the various truck crops in California, but those who are in the best position to estimate have been conferred with and the average of their estimates has been increased, so that the estimates used as a basis for the above calculations and statements probably represent a higher percentage than actually exists. As an example: It was estimated that Japanese grow or influence or control the production of 90 percent of the strawberries; 75 percent of the cucumbers, onions, and spinach for fresh shipment; and 75 percent of the cucumbers and tomatoes for cannery; 65 percent of the fresh shipment of snap beans; 60 percent of the canned tomatoes acreage; 50 percent of the production for fresh shipment of cauliflower and celery; for processing—snap beans and spinach; which is followed on through down to 10 percent of the potatoes, asparagus, cantaloups, honeydews, honeyballs, and watermelons. The figure of 10 percent is the lowest one used in any case.

Broccoli, brussel sprouts, chicory, parsley, parsnips, rhubarb, radishes, squash, turnips, and sweetpotatoes were omitted only because they are not included in the United States Department of Agriculture report used.

Allowing for errors in judgment, it must be conceded by those who would study these figures carefully and sincerely—if all vegetable acreage produced, controlled, or influenced by Japanese were completely eliminated, the loss in available fresh food supply to the United States and Canada would be entirely insignificant, not to take into account the large volume of other foods, including meats and grains, etc., which would further reduce the percentage of loss in food to the people of this country.

UNITED STATES AND CALIFORNIA VEGETABLES IN ACRES FOR PROCESSING, 1941

[Authority: U. S. Department of Agriculture]

	California	California Japanese [1]	Percent California Japanese [1]	All other States	Total, United States
Asparagus	39, 550	3, 955	10	0	39, 550
Limas	0	0	0	61, 700	61, 700
Snap beans	640	320	50	72, 720	73, 360
Beets	0	0	0	14, 870	14, 870
Sweet corn	0	0	0	427, 880	427, 880
Cucumbers	2, 890	2, 168	75	103, 110	106. 000
Peas	1. 850	370	20	358. 690	360, 540
Pimento	730	548	75	12, 000	12, 730
Spinach	7, 440	3, 720	50	86, 000	16, 040
Tomatoes	83, 000	49, 800	60	372, 310	455, 310
Total	136, 100	60, 881	44¾	1, 431, 880	1, 567, 980
Exclusive of tomatoes	53, 100	11, 081	21	1, 059, 570	1, 112, 670

UNITED STATES AND CALIFORNIA VEGETABLE PRODUCTION IN ACRES FOR FRESH MARKET, 1941

Artichokes	10, 000	0	0	9	10, 000
Asparagus	35, 940	3, 594	10	52, 020	87, 960
Lima beans	0	0	0	17, 650	17, 650
Snap beans	11, 450	7, 442	65	163. 060	174, 510
Beets	0	0	0	12, 770	12, 770
Cabbage	7, 100	2, 840	40	174, 600	181, 700
Carrots	22. 900	3, 435	15	26, 650	49, 550
Cauliflower	16, 600	8, 300	50	16, 200	32, 800
Celery	12, 720	6, 360	50	28, 970	41, 690
Corn (sweet)	0	0	0	23. 000	23, 000
Cucumbers	2, 100	1, 575	75	40, 470	42, 570
Eggplant	0	0	0	4, 050	4, 050
Garlic	2, 210	1, 105	50	1, 770	3, 980
Kale	0	0	0	1, 100	1, 100
Lettuce	94, 700	11, 837	12½	64, 070	158, 770
Onions	5, 430	4, 073	75	89, 800	95, 230
Peas	31, 200	4, 680	15	58, 800	90, 000
Peppers	2. 750	2. 100	75	20, 320	23. 070
Potatoes	39. 000	3, 900	10	303, 900	342, 900
Spinach	2, 800	2. 100	75	58, 210	61, 010
Tomatoes	28, 500	11, 400	40	172, 870	201, 370
Total	325, 400	74, 741	------------	1, 330, 280	1, 655, 680

UNITED STATES AND CALIFORNIA VEGETABLES IN ACRES FOR CANTALOUPS, HONEY DEWS, HONEY BALLS, WATERMELONS AND OTHER MELONS, AND STRAWBERRIES FOR FRESH MARKET, 1941

Cantaloups, honey dews, honey balls, etc.	38, 420	3, 842	10	87, 490	125, 910
Strawberries	3, 680	3, 312	90	207, 430	211, 110
Watermelons	16, 000	1, 600	10	251, 630	267, 630
Total	58, 100	8, 754	1. 45	546, 550	604, 650

SUMMARY—SHOWING TOTAL ACREAGES FOR ALL TRUCK CROPS IN THE U. S DEPARTMENT OF AGRICULTURE REPORT

Processed vegetables	136, 100	60, 881	45	1, 431, 880	1, 567, 980
Fresh vegetables	325, 400	74, 741	23	1, 330, 280	1, 655, 680
Total, vegetables	461, 500	135, 622	30	2, 762, 160	3, 223, 660
Melons, strawberries	58, 100	8, 754	15	546, 550	604, 650
Grand total	519. 600	144, 376	27¾	3, 308, 710	3, 828, 310

[1] Estimates, and therefore acreage arrived at in accordance with explanation in body of report.

COOPERATIVE EXTENSION WORK IN AGRICULTURE AND HOME ECONOMICS, STATE OF CALIFORNIA

UNIVERSITY OF CALIFORNIA,
Fairfield, Calif., February 18, 1942.

MR. ROSCOE E. BELL.
Bureau of Agricultural Economics,
222 Mercantile Building, Berkeley, Calif.

DEAR MR. BELL: Your letter of February 12 regarding housing of evacuated aliens was referred to the chairman and various members of the county farm labor subcommittee. They have gathered the following information:

In the Suisun area, the two members of the committee believe that beginning May 1, they could employ about 500 alien Japanese. They believe, however, that these should be housed in a central camp, so they could be given close supervision, and so that other workers in the district would have the first chance at available work. No definite arrangements have been made for location of a central camp. Perhaps arrangements could be made to use a large unused packing house for some of these men.

In the Vacaville area, they could employ 200 to 300 Japanese aliens. There is some work available now. They prefer that these aliens be housed in a central camp and guarded by Federal agents. They have a piece of land available with water, but no buildings.

The committee reports the following from the Delta district:

In general, the buildings that are available are the asparagus cutter camps, that are not in use. There are no heating or cooking stoves and usually the bathing and sewage-disposal systems would be inadequate for permanent residence. However, with the expenditure of a nominal amount on each camp, they could be made usable. There are a few exceptional camps.

Furthermore, if a central camp would be more practical a site could be gotten from the Ryer-Nixon interests on Ryer Island free of charge, up to about 5 acres. Also, the work on the individual camps could be done under the supervision of the individual farmers and methods of payment for the work would be arranged. The accommodations would also be only for single men with the possibility of one family at each camp doing the cooking, etc., about the camp.

Our position on this island would make it very easy to guard. Offhand, it seemed to be the consensus of those that I could contact that possibly a guard on the bridge going into the Holland Land would answer the purpose with a possible weekly check-up of all the individuals. In general, there seems to be no apprehension about taking care of the aliens after they have been okayed by the Federal Bureau of Investigation.

In detail then, for Italian aliens, the set-up on Ryer could be as follows:

A. Guidi, 40 men in two camps.
L. Brooks, 26 men in two camps.
De Gandia, 70 men in three camps.
F. Gwerder, 20 men in one camp.
H. M. Karlstad, 15 men in one camp.
A. M. Jongeneel, 25 men in one camp (needs more than average fixing).
Rio Farms, 20 men in one camp.
J. Gwerder, 20 men in one camp.
McGaughern, 20 men in two camps.

In addition to these 286 men, I believe another 40 could be placed with a little more thorough investigation. Most of these men (all) could find seasonal employment on the island.

You know we have many camps scattered around the two Liberty farm islands but they are all in a radius of about 3 miles and all inside the levees. At present, there is only one entry at the north end of the Permanent District as the ferry is closed due to the flood and will be for several months.

Liberty Farms Co. owns all the buildings and could be considered the farmers.

We have both Japanese and Italians on this island so either would be acceptable but I believe in our case that Japanese would be preferred as they would better fit into our program.

Here are the camps on the Permanent District and the capacities:

Camp 2, 20 single men.

Camp 4, 15 single men.

Camp 5, 15 single men.

Camp 8, 10 single men.

Camp 9, 20 single men, plus camp place for up to 300 people if tents are supplied. Water and toilets O. K.

Camp 1, family unit.

The following camps are on the bypass and won't be available for at least 6 weeks:

Camp 11, 20 single men and 1 family unit.

Camp 14, 25 single men and 2 family units.

Camp 15, 15 single men.

Camp 15½, 30 single men.

Probably the California Packing Corporation could take care of 100 men additional: Ed Emigh, 15 additional also.

The committee reports that aliens would not be acceptable on most of the ranches in the Montezuma Hills. The exceptions are these: The Fontana Farms Co. would like 10 single alien Italians or Germans. They have a camp available for that number, with electricity, and should have work for them about May 1. Mrs. Bertha Williams would like an alien German or Italian man and wife to live and work at her farm. She has housing.

The committee reports for the Dixon District as follows: James Fulmer could use 25 single alien Italians or Germans. He has a sugar beet camp to house them. Roy Gill could use 6 married men and about 19 single men, all Italian or German aliens. He has housing scattered around his various farms. Both these men point out that they would reserve the right to fire these men if their work was unsatisfactory and would expect to pay only the usual wages in the community.

As yet, no report has been received from the Wolfskill District. We expect this report some time this evening and will mail to you in the morning.

At their last meeting, the United States Department of Agriculture War Board discussed this matter and suggested that aliens brought to this county should be under supervision at all times, either at central camps or on farms where the operator agrees to furnish this supervision.

Sincerely yours,

V. W. De Tar, *County Agent.*

Stanislaus County Farm Bureau,
Modesto, Calif., February 19, 1942.

(Re County housing facilities for alien labor.

Mr. Ray B. Wiser,
President, California Farm Bureau Federation,
Berkeley, Calif.

Dear Ray: Relative to your wire of February 18, I thought I would write you rather than wire since there are so many angles to this problem.

I have been making a check-up for the past 2 weeks in our county on the question of aliens and their labor situation, and find that it is an extremely difficult problem to make any definite decision about.

I wrote Mr. Dave Davison that a great many of our farmers were very much concerned about labor shortage, realizing that already our labor supply is becoming a problem in California. With this in mind, and since there seems to be no source of labor that can be brought into California, and since it is further apparent that continued shortages on our labor supply will persist, many farmers who have to hire most of their labor in the harvesting of their crops are very much worried over the prospect of removing large numbers of aliens from the producing sections of the State, realizing that this large shortage will become more embarrassing.

In discussing the question with farmers who have to hire to any extent, the feeling seems to be that if it is at all possible, aliens should be concentrated in camps in our producing sections where they could be made to work in the production of food. For instance, it has been suggested that camps of 500 to 1,000 might be established in the delta regions on the islands which would perhaps require a minimum of policing, where the aliens would employ themselves in useful occupations, and under which condition they would be much more easily cared for, and would be producing some of the food which the Federal Government is so much in need of.

On the other hand, our townspeople, and likewise some of our farmers who are not subject to employing labor, have a very decided opinion that all Japanese, particularly, should be evacuated entirely from the State of California. We do not hear a great deal of expression as to the Italian and German aliens in our county, but the feeling is very widespread that all Japanese, whether foreign or United States citizens should be hastily taken care of in some manner, whether concentrated within the State or removed entirely from the State. There seems to be a very decided feeling along this line.

It is my opinion that something should be done very speedily to change the present alien situation, in order that public feeling should be allayed.

Our county is very limited in housing facilities for groups of people such as these aliens would be; however, provision might be made to take care of small numbers. Stanislaus County is not greatly burdened with many Japanese, either foreign or United States citizens.

Hoping this may help to answer some of your questions, I am

Sincerely yours,

John T. Halford,
Secretary County Farm Bureau.

Western Growers Protective Association,
Los Angeles, Calif.

The following recommendation was adopted by the board of directors of the Western Growers Protective Association, at its regular stated directors' meeting on February 8, 1942:

The Western Growers Protective Association, whose membership is comprised of approximately 85 percent of the vegetable movement from California and Arizona, feeling that its experience with Japanese labor—both alien and American citizens of Japanese parentage—places it in a position to recognize the California agricultural situation better than any other body, calls to your attention the following facts:

California fresh vegetables and melons, as grown for shipment to the entire United States, are grown by white growers in about 94 percent. The Western Growers Protective Association hereby goes on record as stating that the flow of California vegetables to the entire country would not be affected should either or both the alien Japanese or the American citizens of Japanese parentage be removed from the vegetable industry.

The Western Growers Protective Association and its members, through their association with Japanese aliens and American citizens of Japanese parentage, both as employers and farmers, feel that they are in a position to better know the character and feelings of such Japanese than any other group of men. It is the consensus of opinion of the Western Growers Protective Association and its members that no individual alien Japanese, or that no individual American citizen of Japanese parentage, can be judged as to his loyalty solely by past experience. It is the opinion of said association and its members that a good proportion of both alien Japanese and American citizens of Japanese parentage are loyal to the United States of America, yet that some percentage of both aliens and citizens of Japanese parentage may be more loyal to Japan. Consequently, said Western Growers Protective Association and its members. realizing that both alien Japanese and American citizens of Japanese parentage who are loyal to the United States would be willing to endure any hardship to eliminate the possibility of any disloyal action on the part of any of their group—petition that all alien Japanese and American citizens of Japanese parentage be removed to a point where, in the opinion of the Army and Navy, there may be no possibility of such disloyal action affecting the security of the United States.

And, in conjunction with the recommendations of the Los Angeles County Defense Committee, the Western Growers Protective Association concur in the following recommendations of the said Los Angeles County Defense Committee:

That Japanese in the following classifications be moved to points in the Rocky Mountain sugar-beet areas, or other areas deemed safe by the military authorities where housing facilities are available, regardless of whether their labor can immediately be used.

All Japanese who reside within 50 miles of the Pacific coast and Mexican border, or who reside in other areas within a 10-mile radius of munition plants or military camps; including—

(*a*) Alien Japanese of all ages.

(*b*) Nonalien Japanese under 18 years of age living with alien parents.

(*c*) All other Japanese who have American citizenship, this to be attempted at first by an appeal that they remove themselves on their own volition. If this voluntary action is not immediate and fully effective the necessary Federal action should be undertaken.

Federal Security Administration should be charged with the responsibility of developing housing facilities. They should use wherever possible, the present facilities pending construction of other housing units.

The United States Department of Agriculture should be charged with the responsibility of utilizing this labor to the fullest extent in the newly located regions.

The services of the State department of agriculture and the county agricultural commissioners be utilized to assist landlords and farm operators in finding new farmers to take over leased lands for harvesting of crops now planted and planting of new crops.

These recommendations are made with encouragement that action be complete and immediate.

STATEMENT

A substantial part of the Japanese population in southern California is located in rural areas. Farming operations particularly in the vegetable field are retarded pending definite and detailed instructions as to their disposition. The Japanese population is hesitating to prepare land and plant crops, fearing that they will shortly be removed from their present properties and other farmers are not making definite plans not knowing what the production from Japanese-tilled farms will be.

Vegetable production is on the "must list" of the Department of Agriculture and must not only be maintained but increased during the current season.

It is fully recognized that there is at present some difficulty in connection with obtaining farm labor, and while the removal of Japanese will further accentuate this problem temporarily, it will give a base for developing labor plans which can be used during the war emergency period.

This recommendation is based upon the fact that they would be completely removed from coastal areas and that their labor could eventually be utilized to an advantage. They could probably relieve other labor in California from the necessity of migrating to those districts during the peak-load periods which are the spring and fall months.

Land vacated by Japanese removed as hereinabove outlined would probably amount to 15,000 acres in Los Angeles County. No official figures from other counties are now available to this committee. It is believed, however, that the total will exceed 40,000 acres in the counties from and including San Luis Obispo southward, some of which is not being planted and will not be in all probability if present conditions are continued. Under the supervision as outlined in the above if handled promptly and before the season is further advanced the land can be put to proper use and severe additional losses avoided. It may result in changing of some crops inasmuch as experienced labor would not be available to produce such items as celery. Other crops required by the Department of Agriculture would be substituted.

Associated Produce Dealers and Brokers of Los Angeles,
Los Angeles, Calif., February 18, 1942.

Hon. Earl Warren,
Attorney General, State of California,
San Francisco, Calif.

Attention Mr. Warren Olney.

Dear Sir: I have been asked to give you a summary of what might be expected to happen in the Los Angeles market with respect to feeding the metropolitan area if all Japanese were removed from the producing, wholesaling, and retailing of fresh fruits and vegetables. Incidentally, might I say this is now an academic question, because if the proper authorities do not take prompt steps to remove all Japanese, whether alien or citizens, from the coastal areas of this State, it seems inevitable that they will be removed in the near future by the public at large either through violence or insistent popular demand. I say this because the general public are much more apprehensive of the continued presence of Japanese running at large, with the most nominal of supervision, than the people in this industry, who know the Japanese characteristics and traits much more than the general public and on the basis of this information should be more apprehensive than the general public.

There were in the 3 Los Angeles wholesale markets as of December 6, 1941, 167 wholesale fruit and vegetable merchants handling fresh fruits and vegetables of which 29 were Japanese-owned, 94 were American-owned, and 44 owned by

Chinese and Koreans. There were, as of the same date, in the open-market yards 232 permanent stall operators, who were conducting small wholesale businesses limited to merchandise grown within a radius of 90 miles of Los Angeles. Of these 134 were Japanese, 81 were Americans, and 17 were Korean and Chinese. As of December 6, 1941, practically all of the Japanese businesses were owned and operated by alien Japanese with citizen Japanese employees and subordinates. Since the war many of the stall businesses and a few of the large wholesale businesses have been sold or transferred by aliens to citizen Japanese.

The exact figures are unavailable as there has never been any occasion in the past to make such studies, but it is probable that the Japanese wholesalers have handled 75 percent of the green vegetables and not more than 10 percent of the staple vegetables and fruits consumed in the Los Angeles metropolitan area. By green vegetables is meant the leafy succulent vegetables excluding staples such as potatoes, onions, squash, etc. Since the war began there has been a steady decreased volume of business handled by the Japanese due primarily to the unwillingness of the average housewife to buy from Japanese retailers. These Japanese retailers have been the principal outlet for the Japanese wholesalers, since over a period of years it is well-known that the Japanese invariably give business preference to others of their own race. The next reason of importance for their loss of business is the fact that the Japanese growers who in Los Angeles County have produced in the past a large percentage of the green vegetables are not replanting their fields as the season progresses. This was true before closed areas were set up by the Federal Government and has become much more pronounced since that time.

It is my considered opinion, based on 21 years of constant service in the Los Angeles markets, first as representative of the United States Department of Agriculture and for the past 14 years as manager of the Associated Produce Dealers and Brokers of Los Angeles, a trade association composed of all wholesale merchants in Los Angeles, of all nationalities, that the removal of all Japanese from southern California will not cause any serious dislocation in the feeding of this community.

There are more than 50 different vegetables sold commercially in our wholesale markets throughout the year. With the removal of the Japanese there may be a scarcity of nonessential vegetables such as celery root, escarole, chard, watercress, and leeks. However, there are enough American growers already producing the major protective crops such as carrots, cabbage, lettuce, cauliflower, potatoes, onions, peas, beans, and even celery to take up the slack in the Los Angeles markets by slightly increasing their acreage already being planted for eastern shipment. I have talked to many wholesale growers of vegetables for the local market who have either gone out of business in the past 10 years or greatly reduced their operations due to Japanese competition of a type which they could not meet and who are willing to plant increased acreage especially for the local market if they have any assurance they would not have to meet the competition of the Japanese family.

The Japanese have not made any great inroad in the production of large commercial acreages of vegetables for carlot shipping to eastern markets because they have to compete with the white grower on an equivalent basis. In other words, the amount of Japanese family labor that can be used is negligible in acreages from 500 to 5,000. Large-scale Japanese farmers employ Mexican or Filipino labor the same as the white grower and is on a comparable cost basis. In small acreages planted primarily for local markets the Japanese grower has had an advantage over the white grower that has pretty well driven the white grower out of small-scale vegetable production in many parts of Los Angeles County. These farms will average around 10 acres and the Japanese farmer can and does use his wife and children for practically all of his labor requirements giving him a production cost substantially below that of a small white farmer.

A comprehensive system of associations set up for these small Japanese farmers has enabled them to regulate market supplies and reduce prices at will, to the point that the competing white grower has been forced out of production. However, there is a vast reserve of skilled white farmers who will resume the production of vegetables whenever they have any idea that it can be done without going up against this type of Japanese competition. This will not entail any serious rise in prices, generally speaking, as the difference between the Japanese controlled wholesale price is only a few cents per package less than the white growers' actual cost of production. However, if white growers are to take up the production of vegetables in place of Japanese quick action is imperative. The season is progressing and as stated above many Japanese growers are not replanting their fields as the planting season comes along. If this problem is dallied around with many weeks longer there will develop a shortage of green vegetables during the summer months whether the Japanese are permitted to stay on the farm or whether they are removed by either proper governmental authority or public sentiment.

Yours very truly,

ASSOCIATED PRODUCE DEALERS AND BROKERS OF LOS ANGELES,
By HOMER A. HARRIS, *Secretary-Manager.*

FRESNO COUNTY FARM BUREAU,
Fresno, Calif., February 19, 1942.

Mr. RAY WISER,
President, California Farm Bureau Federation,
Berkeley, Calif.

DEAR MR. WISER: As to your first question of your telegram dated February 18, there is a Government camp at Firebaugh, Fresno County. I do not know what the available space is there. My information is that the farmers do not desire such a camp in Fresno County.

The other question, "Do farmers in your county wish to provide employment for such labor and to what extent?" My answer and information is No. However, we are requesting from this county that the Japanese who are now here remain here under the proper constituted supervision, local, State, and Federal, if necessary.

We believe that the Japanese who are now performing agricultural labor in Fresno County should remain here for that purpose, but agriculture does not favor any addition of Japanese from other areas.

Sincerely yours,

FRESNO COUNTY FARM BUREAU,
A. J. QUIST, *President.*

Bakersfield, Calif., February 19, 1942.

RAY B. WISER,
President, California State Farm Bureau Federation,
Berkeley, Calif.

Kern County Farm Bureau, board of supervisors, agricultural committee, county defense council, and county-wide agricultural labor committee, all have gone on record recommending that all Japs be removed from California and placed under adequate guard at once and plans for utilizing their labor be made later. Letter follows.

FRANK STOCKTON,
President, Kern County Farm Bureau.

HEMET, CALIF., *February 20, 1942.*

CALIFORNIA FARM BUREAU,
2161 Allston Way.

We absolutely object to Japanese being located anywhere in vicinity of Hemet to be used as agriculture laborers.

HEMET VALLEY CHAMBER OF COMMERCE.

RIVERSIDE, CALIF., *February 19, 1942.*

CALIFORNIA FARM BUREAU FEDERATION,
2161 Allston Way.

Advise assemble committee our emphatic objection to any Japanese being located anywhere in Riverside County for use as farm labor.

RIVERSIDE COUNTY CHAMBER OF COMMERCE.

EL CENTRO, CALIF., *February 19, 1942.*

RAY B. WISER,
President, California Farm Bureau Federation.

Your wire secretary Imperial County Farm Bureau concerning evacuation Japanese families to Imperial County called to attention of this office. Have had serious trouble between Japanese and Filipinos in this county. Some Japanese have been killed. Any evacuation of Japanese to this county would be grave mistake at this time as it would only tend to aggravate present tense situation. All Japanese have been evacuated from Baja, California, Republic of Mexico, just across international boundary line from Imperial County to interior of Mexico. Any proposition bringing additional Japanese into this area strictly opposed by Mexican authorities. Evacuation of any Japanese citizen or alien to this county would create a very serious and unsatisfactory situation. Making every effort at this time to have the Federal Government evacuate all alien Japanese from this county to some point of internment in the interior of the United States. Many alien Japanese have already been arrested by Federal Bureau of Investigation in this county and taken into internment centers. The bringing of any additional Japanese to this county at present time would only tend to aggravate and multiply present difficult law enforcement problems. For foregoing reasons would be opposed to any attempt to bring any additional Japanese into this territory.

Elmer W. Heald,
District Attorney, County of Imperial.

Visalia, Calif., *February 20, 1942.*

Ray B. Wiser,
President, California Farm Bureau Federation, Berkeley, Calif.

Under existing conditions as developed in the past few hours these alien Japanese or dual citizens could not be moved into the county unless the United States Army has charge of them. There are camps available for Japs on the large ranches but due to public opinion we do not believe that Tulare County needs any more Japs unless as stated the Army has complete control over this situation. At the present time there is not strict enough regulation on the enemy alien in Tulare County especially the Jap dual citizen or alien.

Tulare County Farm Bureau,
J. E. Jordan, *President.*

TESTIMONY OF HON. EARL WARREN—Resumed

Attorney General Warren. Mr. Chairman, we feel in California that it is a fortuitous circumstance that this committee is here at this particular time. We believe that there has been no time in our entire crisis when the need of clarification of the alien situation is as apparent as it is today. There are some things transpiring in our State at the present moment that are rather dangerous and we believe that there is only one way that they can be prevented, and that is by a speedy solution of the alien problem.

I had intended to present a prepared statement to the committee, but I have been working so diligently with the law enforcement officers since I received word from you in order to get the consensus of opinion from them that it has been impossible for me to do so.

The Chairman. We will hold our record open for you to send in a prepared statement within the next 10 days or 2 weeks. Will that be plenty of time within which to prepare it?

Attorney General Warren. Thank you. I think that would be more informative to the committee than what I have to say at the present time.[1]

The Chairman. Yes.

Attorney General Warren. But had I prepared a statement prior to late yesterday afternoon, I think that the necessity of saying many of the things that I had intended to say have been obviated by reason of the latest order of the President in relation to this matter. We believe that the action that the President took yesterday was most wise and that it at least points the way to a real solution of our problem.

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[1] This material was submitted later and is included in the witness' statement beginning on p. 10973.

The CHAIRMAN. If I may interrupt there, I might give you a little background of that recommendation to the President. The congressional delegations of Oregon, Washington, and California met almost daily trying to decide what recommendations we would make to the President on this alien problem. I have in mind Senators Downey, Johnson, Congressman Welch, Congressman Rolph. I mention them particularly because this is their district. They were in constant attendance and took deep interest. So, as the attorney general of the State of California, you know better than any of us the legal complications involved striking at any portion of our American citizenship. That Executive order yesterday was the recommendation, in almost the same words, of the Pacific coast delegation.

You may proceed now, Mr. Warren. I just wanted to give you a little background on that.

Attorney General WARREN. Yes. I am happy to have that; I had heard that from the press. We were following your action very closely and with great interest.

ALIEN ENEMIES AS PROBLEM FOR THE MILITARY

For some time I have been of the opinion that the solution of our alien enemy problem with all its ramifications, which include the descendants of aliens, is not only a Federal problem but is a military problem. We believe that all of the decisions in that regard must be made by the military command that is charged with the security of this area. I am convinced that the fifth-column activities of our enemy call for the participation of people who are in fact American citizens, and that if we are to deal realistically with the problem we must realize that we will be obliged in time of stress to deal with subversive elements of our own citizenry.

If that be true, it creates almost an impossible situation for the civil authorities because the civil authorities cannot take protective measures against people of that character. We may suspect their loyalty. We may even have some evidence or, perhaps, substantial evidence of their disloyalty. But until we have the whole pattern of the enemy plan, until we are able to go into court and beyond the exclusion of a reasonable doubt establish the guilt of those elements among our American citizens, there is no way that civil government can cope with the situation.

On the other hand, we believe that in an area, such as in California, which has been designated as a combat zone, when things have happened such as have happened here on the coast, something should be done and done immediately. We believe that any delay in the adoption of the necessary protective measures is to invite disaster. It means that we, too, will have in California a Pearl Harbor incident.

I believe that up to the present and perhaps for a long time to come the greatest danger to continental United States is that from well organized sabotage and fifth-column activity.

OPPORTUNITIES FOR SABOTAGE

California presents, perhaps, the most likely objective in the Nation for such activities. There are many reasons why that is true. First, the size and number of our naval nad military establishments in California would make it attractive to our enemies as a field of sabotage. Our geographical position with relation to our enemy and to the war in the Pacific is also a tremendous factor. The number and the diversification of our war industries is extremely vital. The fire hazards due to our climate, our forest areas, and the type of building construction make us very susceptible to fire sabotage. Then the tremendous number of aliens that we have resident here makes it almost an impossible problem from the standpoint of law enforcement.

A wave of organized sabotage in California accompanied by an actual air raid or even by a prolonged black-out could not only be more destructive to life and property but could result in retarding the entire war effort of this Nation far more than the treacherous bombing of Pearl Harbor.

I hesitate to think what the result would be of the destruction of any of our big airplane factories in this State. It will interest you to know that some of our airplane factories in this State are entirely surrounded by Japanese land ownership or occupancy. It is a situation that is fraught with the greatest danger and under no circumstances should it ever be permitted to exist.

I have some maps here that will show the specific instances of that character. In order to advise the committee more accurately on this subject I have asked the various district attorneys throughout the State to submit maps to me showing every Japanese ownership and occupancy in the State. Those maps tell a story, a story that is not very heartening to anyone who has the responsibility of protecting life and property either in time of peace or in war.

To assume that the enemy has not planned fifth column activities for us in a wave of sabotage is simply to live in a fool's paradise. These activities, whether you call them "fifth column activities" or "sabotage" or "war behind the lines upon civilians," or whatever you may call it, are just as much an integral part of Axis warfare as any of their military and naval operations. When I say that I refer to all of the Axis powers with which we are at war.

It has developed into a science and a technique that has been used most effectively against every nation with which the Axis powers are at war. It has been developed to a degree almost beyond the belief of our American citizens. That is one of the reasons it is so difficult for our people to become aroused and appreciate the danger of such activities. Those activities are now being used actively in the war in the Pacific, in every field of operations about which I have read. They have unquestionably, gentlemen, planned such activities for California. For us to believe to the contrary is just not realistic.

Unfortunately, however, many of our people and some of our authorities and, I am afraid, many of our people in other parts of the country are of the opinion that because we have had no sabotage and no fifth column activities in this State since the beginning of the war, that means that none have been planned for us. But I take the view that that is the most ominous sign in our whole situation. It convinces me more than perhaps any other factor that the sabotage that we are to get, the fifth column activities that we are to get, are timed just like Pearl Harbor was timed and just like the invasion of France, and of Denmark, and of Norway, and all of those other countries.

INVISIBLE DEADLINE FOR SABOTAGE

I believe that we are just being lulled into a false sense of security and that the only reason we haven't had disaster in California is because it has been timed for a different date, and that when that time comes if we don't do something about it it is going to mean disaster both to California and to our Nation. Our day of reckoning is bound to come in that regard. When, nobody knows, of course, but we are approaching an invisible deadline.

The CHAIRMAN. On that point, when that came up in our committee hearings there was not a single case of sabotage reported on the Pacific coast, we heard the heads of the Navy and the Army, and they all tell us that the Pacific coast can be attacked. The sabotage would come coincident with that attack, would it not?

Attorney General WARREN. Exactly.

The CHAIRMAN. They would be fools to tip their hands now, wouldn't they?

Attorney General WARREN. Exactly. If there were sporadic sabotage at this time or if there had been for the last 2 months, the people of California or the Federal authorities would be on the alert to such an extent that they could not possibly have any real fifth column activities when the M-day comes. And I think that that should figure very largely in our conclusions on this subject.

Approaching an invisible deadline as we do, it seems to me that no time can be wasted in making the protective measures that are essential to the security of this State. And when I say "this State" I mean all of the coast, of course. I believe that Oregon and Washington are entitled to the same sort of consideration as the zone of danger as California. Perhaps our danger is intensified by the number of our industries and the number of our aliens, but it is much the same.

Gentlemen, it has become no longer a simple question of protecting life and property in this State, because people can't fight in the dark and you can't protect against things about which you don't know. We have all been good soldiers out here and we played the game. We have cooperated with the Federal authorities in every respect, and individual agencies have cooperated with us. As Chief Dullea told you, we work in complete harmony with the Federal authorities and I think that we have accomplished something, but we haven't scratched the surface and because of certain fundamental things.

In our civilian defense we are supposed as State and local officers to protect the lives and the property of our people whether it is in normal times or whether it is in times of great emergency. But when this emergency comes along we are going to have to deal with enemy aliens and those who are acting in concert with them.

CIVILIAN AUTHORITIES INSTRUCTED NOT TO INVESTIGATE SUBVERSIVE ACTIVITIES

We don't know in this State who the enemy aliens are and it is not permitted for us to know. In the first place, the directive of the

President (and I think wisely) at the outset of this situation placed the internal security in the hands of a Federal agency, the F. B. I. All local and State officers were instructed not to investigate subversive activities, but immediately upon the receipt of any information to turn it over to the F. B. I.

We have played the game in California. We have followed that directive, and everything we have had we have turned over to them. We have not made independent investigations concerning subversive activities or espionage matters or things of that kind. As a result, we don't have as local officers the pattern of the Axis plans for fifth column activities and sabotage.

In addition to that, we are not permitted to have the names, even, of the alien enemies in our midst. And at the present time every police station in this State, every sheriff's office, every law-enforcement agency can be flanked by aliens with weapons that we know absolutely nothing about.

Gentlemen, I say to you that if we expect local law enforcement officers to compete against a situation of that kind it is just like putting a blindfold over a man's face and asking him to go out and fight someone that he cannot see.

The CHAIRMAN. What is the objection to your not having that information?

Attorney General WARREN. I am afraid you will have to get that from the Department of Justice. The only information I have is what I gathered at the first Federal-State Conference that we had at Washington in August 1940. At that time there was discussion as to what should be done in these matters and it was thought that if local authorities started independently to investigate things of that kind they would develop perhaps into witch hunts in some instances. In other instances local authorities might destroy the pattern that the F. B. I. was working on. They might stumble into something that should not be disclosed at the time and in various ways might cause bungling in the counter-espionage work.

The CHAIRMAN. But we were not at war then.

INFORMATION ON REGISTRATION OF ALIENS NOT AVAILABLE TO LOCAL AUTHORITIES

Attorney General WARREN. We were not at war at that time. Then the alien registration came along immediately after war was declared, and the local authorities then wanted to know who the aliens in their communities were, but they were not permitted to have their names.

The registration, as you know, is through the Post Office Department, and the Postal authorities have their instructions not to give that information to the local authorities.

The CHAIRMAN. Is that same procedure applicable throughout the United States?

Attorney General WARREN. Yes, sir; it is. Recently they had a second registration. It was thought at that time that it would be done through law-enforcement officers because of the tremendous problems that we have. But that registration also was made through the Postal authorities, and we were denied the right to get any information concerning aliens, even to ask them a question after they had registered with the Government.

We were investigating the alien land situation at the time and, of course, we wanted to know who the alien Japanese were. We have no way of knowing. We have almost 100,000 Japanese in California. The Census records show that 33,000 of them are aliens and 66,000 are American-born. But we have no way on earth of knowing who the 33,000 are and who the 66,000 are. Still we are obliged to protect life and property against any activities in which they may engage during the war.

We believe that that information should be made available to the law-enforcement officers and that they never can be of substantial help to any Federal agency that is charged with the solution of the alien problem unless they do have it.

The CHAIRMAN. You see, that is the very object of these hearings. I did not know that.

Attorney General WARREN. I am sure that very, very few people in the country realize it. Maybe some know about it, but they have never thought of the significance of it. But if our civilian defense effort is to be what our Government wants it to be, if we are to assume our full responsibilities for protecting life and property in time of emergency, then we must have some tools to work with. We have at the present time absolutely none, and I say that without any reflection upon any agency. They have all been helpful within the limits of their instruction.

So that is one of the things that led us to the conclusion that it was entirely a military problem and entirely a military decision as to what we do with these aliens. The fact that so many of them are citizens makes the situation far more dangerous.

POTENTIAL DANGER FROM AMERICAN-BORN JAPANESE

I want to say that the consensus of opinion among the law-enforcement officers of this State is that there is more potential danger among the group of Japanese who are born in this country than from the alien Japanese who were born in Japan. That might seem an anomaly to some people, but the fact is that, in the first place, there are twice as many of them. There are 33,000 aliens and there are 66,000 born in this country.

In the second place, most of the Japanese who were born in Japan are over 55 years of age. There has been practically no migration to this country since 1924. But in some instances the children of those people have been sent to Japan for their education, either in whole or in part, and while they are over there they are indoctrinated with the idea of Japanese imperialism. They receive their religious instruction which ties up their religion with their Emperor, and they come back here imbued with the ideas and the policies of Imperial Japan.

While I do not cast a reflection on every Japanese who is born in this country—of course we will have loyal ones—I do say that the consensus of opinion is that taking the groups by and large there is more potential danger to this State from the group that is born here than from the group that is born in Japan.

Mr. ARNOLD. Let me ask you a question at this point.

Attorney General Warren. Yes, Congressman.

Mr. Arnold. Do you have any way of knowing whether any one of this group that you mention is loyal to this country or loyal to Japan?

MANY AMERICAN-BORN JAPANESE EDUCATED IN JAPAN

Attorney General Warren. Congressman, there is no way that we can establish that fact. We believe that when we are dealing with the Caucasian race we have methods that will test the loyalty of them, and we believe that we can, in dealing with the Germans and the Italians, arrive at some fairly sound conclusions because of our knowledge of the way they live in the community and have lived for many years. But when we deal with the Japanese we are in an entirely different field and we cannot form any opinion that we believe to be sound. Their method of living, their language, make for this difficulty. Many of them who show you a birth certificate stating that they were born in this State, perhaps, or born in Honolulu, can hardly speak the English language because, although they were born here, when they were 4 or 5 years of age they were sent over to Japan to be educated and they stayed over there through their adolescent period at least, and then they came back here thoroughly Japanese.

The Chairman. There are certain Japanese schools here, are there not?

Attorney General Warren. Then we have the Japanese school system here. There is no way that we know of of determining that fact.

I had together about 10 days ago about 40 district attorneys and about 40 sheriffs in the State to discuss this alien problem. I asked all of them collectively at that time if in their experience any Japanese, whether California-born or Japan-born, had ever given them any information on subversive activities or any disloyalty to this country. The answer was unanimously that no such information had ever been given to them.

Now, that is almost unbelievable. You see, when we deal with the German aliens, when we deal with the Italian aliens, we have many informants who are most anxious to help the local authorities and the State and Federal authorities to solve this alien problem. They come in voluntarily and give us information. We get none from the other source.

Does that answer your question, Congressman?

Mr. Arnold. That answers it fully.

Attorney General Warren. There is one thing that concerns us at the present time. As I say, we are very happy over the order of the President yesterday. We believe that is the thing that should be done, but that is only one-half of the problem, as we see it. It is one thing to take these people out of the area and it is another thing to do something with them after they get out. Even from the small areas that they have left up to the present time there are many, many Japanese who are now roaming around the State and roaming around the Western States in a condition that will unquestionably bring about race riots and prejudice and hysteria and excesses of all kind.

I hate to say it, but we have had some evidence of it in our State in just the last 2 or 3 days. People do not want these Japanese just loaded from one community to another, and as a practical matter it might be a very bad thing to do because we might just be transposing the danger from one place to another.

So it seems to me that the next thing the Government has to do is to find a way of handling these aliens who are removed from any vital zone.

In the county of Tulare at the present time and in the county of San Benito and in other counties there are large numbers of the Japanese moving in and sometimes the suggestion has come from the place that they leave, that they ought to go to this other community. But when they go there they find a hostile situation. We are very much afraid that it will cause trouble unless there is a very prompt solution of this problem.

VIGILANTISM

My own belief concerning vigilantism is that the people do not engage in vigilante activities so long as they believe that their Government through its agencies is taking care of their most serious problem. But when they get the idea that their problems are not understood, when their Government is not doing for them the things that they believe should be done, they start taking the law into their own hands.

That is one reason why we are so happy that this committee is out here today because we believe that it will help us solve this problem quickly, which is just as important as to solve it permanently.

The CHAIRMAN. We are certainly in a position to get the word right to the heads when we get back to washington.

Attorney General WARREN. Yes, sir.

The CHAIRMAN. We can give them the facts that you are just giving us. We are the parties that can transmit them. . We can get the word there anyway.

Attorney General WARREN. Yes. There has been a lot of talk of how it would disturb the agricultural situation in the State to move the Japanese. I think that is a very debatable question and I think that the records of the Department of Agriculture or the Government will show that it is not as great a problem as it is generally supposed to be. We have seen some very fantastic figures as to what part the Japanese labor plays in California agriculture. I think the facts will not support those figures, and this is one thing that I think should be borne in mind by your committee: That we have a great many large Japanese agricultural operators in this State, and when they operate on a large scale they use exactly the same kind of help that white operators use. In other words, when their crops are to be harvested they don't necessarily harvest them with Japanese. They harvest them with Filipinos and Mexicans and even white people. There is one thing this year that makes it even less desirable to have the Japanese on the land, and that is the fact that the Filipinos and the Mexicans have resolved that they will not harvest crops for Japanese. So they might have their crops on the ground and still they would not be harvested. If those people don't work for them, I have an idea that probably white people won't work for them, either.

The CHAIRMAN. We are going to have a representative from the Department of Agriculture to get those figures.

JAPANESE LAND OWNERSHIP

Attorney General WARREN. Yes. I merely made that observation.

Now, gentlemen, I have some maps which show the character of the Japanese land ownership and possessory interests in California. I will submit them at the time I submit a formal statement on the subject. These maps show to the law enforcement officers that it is more than just accident, that many of those ownerships are located where they are. We base that assumption not only upon the fact that they are located in certain places, but also on the time when the ownership was acquired.

It seems strange to us that airplane manufacturing plants should be entirely surrounded by Japanese land occupancies. It seems to us that it is more than circumstance that after certain Government air bases were established Japanese undertook farming operations in close proximity to them. You can hardly grow a jackrabbit in some of the places where they presume to be carrying on farming operations close to an Army bombing base.

Many of our vital facilities, and most of our highways are just pocketed by Japanese ownerships that could be of untold danger to us in time of stress.

So we believe, gentlemen, that it would be wise for the military to take every protective measure that it believes is necessary to protect this State and this Nation against the possible activities of these people.

Mr. ARNOLD. During the past years have the Japanese been shrewd investors when it comes to buying property in cities? Could they have bought this land near these airplane factories because of shrewdness in their investment ability?

Attorney General WARREN. Yes, that could be, Congressman.

Mr. ARNOLD. I mean, does the history of the past 50 years show any shrewdness in that respect?

Attorney General WARREN. The Japanese have been good farming operators. They have competed on very favorable terms with our white farmers.

Mr. ARNOLD. What I mean is, you say some of this farming land surrounding factories is not very productive. It might increase in value because of the large industry. Have they shown ability in the past to invest where land values go up?

Attorney General WARREN. I have no knowledge of that, Congressman. I would be inclined to doubt it because of the limited right they have to buy land in this State. You know, we have an alien land law which prevents them from owning agricultural lands; but it has been honored more in the breach than in the observance in recent years because of the fact that they have placed the ownershisp in the names of their California-born children. They have not been speculators in lands as far as I know.

Mr. ARNOLD. One thing you are sure of—it just couldn't have happened that way?

PATTERN OF JAPANESE LAND OWNERSHIP

Attorney General WARREN. We don't believe that it could in all of these instances, and knowing what happened at Pearl Harbor and other places we believe that there is a pattern to these land ownerships in California and possessory interests in California.

The CHAIRMAN. In the last few years have purchases by these native-born Japanese increased in the surroundings close to these aircraft factories?

Attorney General WARREN. Yes, sir.

Mr. SPARKMAN. I was interested in your whole statement. As you were discussing it, I thought of testimony that was given before the House Military Affairs Committee, of which I am a member, by a French officer who was in the French Army prior to, and at the time of, the French capitulation. He told us of the difficulties that the French had in their own villages; that always their strategy was given away; the enemy found out about it. Their final solution to the problem was simply, when they started operating in a territory, to evacuate everybody, citizens and all. Of course, that was the field of battle.

Attorney General WARREN. Yes, sir.

Mr. SPARKMAN. Your thought is that this, too, is a possible combat area?

Attorney General WARREN. Yes, sir.

Mr. SPARKMAN. And those in charge of operations should have the authority to evacuate all whom they feel should be evacuated for the defense of the area?

Attorney General WARREN. Precisely. And regardless of citizenship or alienage.

Mr. SPARKMAN. And is it your understanding that the Executive order of yesterday gave such authority to the military commander?

Attorney General WARREN. That is the way I read the newspaper report and that is the only thing that I have. The newspapers stated that specifically.

Mr. SPARKMAN. I do want to add a word to what the chairman said. I am sure you people out here know it, but your congressional delegation in both Houses of Congress has been very much on the alert in discussing and making plans for the defense of this area. A week, 10 days, or 2 weeks ago, this very recommendation was made to the President and, as I read the order, it follows out almost word for word the recommendation that was made by your congressional delegation.

I have noticed suggestions in newspaper stories. I noticed a telegram this morning with reference to the civil rights of these people. What do you have to say about that?

Attorney General WARREN. I believe, sir, that in time of war every citizen must give up some of his normal rights.

EVACUATION AS MILITARY PROBLEM

I believe that no good citizen should object to it. I do believe, however, that it should be done by proper authority and not by sporadic action on the part of agencies that do not function according to the law. That is the reason that I believe that his is a military problem and not a problem in civil government. We have had instances in this State where extra-legal action has been taken with regard to these very people, without regard to our statutes or our constitution or the Constitution of the United States. Now, I think, that is bad.

Mr. SPARKMAN. May I say there, when you say "without regard" you don't consider this as being without regard of Constitution, because isn't it true that the Constitution makes provision for just such things?

Attorney General WARREN. You mean the action the President took yesterday?

Mr. SPARKMAN. Yes.

Attorney General WARREN. I think that is entirely in keeping with it and that is why I commend it so highly. That is why I believe so sincerely in it because it does transfer the solution of this problem to the military authorities who are charged with the defense of this area and, therefore, have the right morally and legally and every other way to take any protective measures that are necessary to insure the security of the area.

The CHAIRMAN. In other words, there are two alternatives—the suspension of the writ of habeas corpus, or martial law. Is that right?

Attorney General WARREN. Yes, sir.

The CHAIRMAN. We are putting them all on the same footing. I think, like you, that it is absolutely constitutional. But if we took it direct, we would be in the courts for the duration of the war fighting that thing out. Is that not so?

Attorney General WARREN. Yes.

AUTHORITY FOR EXCLUSION OF PERSONS FROM MILITARY AREAS

The CHAIRMAN. Well, we haven't the time to fight it out in the courts. That is the way we feel. Isn't that right?

Attorney General WARREN. Yes. There was a time in the Civil War—I don't have the name of the case in mind at the moment, but I have it available—where the War Department through the commander of the Army, declared certain areas to be danger zones and directed that only those who were given permits were entitled to enter and move about. Then Congress fortified that situation by declaring it in a statute to be a danger zone. When it went to the Supreme Court, the Supreme Court did not sustain the military commander but it did sustain the action of Congress in declaring it to be a zone of danger in which those things could be done by the military.

It may be in this situation that if there is any question about the right of the military to do it, Congress could draw a line so far in from the coast and say that, because of the world conditions and the things that are confronting us, that constituted an area in which the military could do certain things.

The CHAIRMAN. When you prepare your final paper, will you give us that citation? That will be very valuable to us.

ORDERLY MOVEMENT OF EVACUEES REQUIRED

Attorney General Warren. I will be very happy to do it.

Mr. Sparkman. General, you do believe that these people who are evacuated ought to be moved with some system or some order?

Attorney General Warren. I believe it must be.

Mr. Sparkman. In other words, you don't believe that the order should be simply given, "Get out," and then leave it to them to get out?

Attorney General Warren. No, sir; I think that the Government must provide some solution to that problem, because if we don't, it is not only going to entail hardship on the people who are told to move but it is going to entail hardship on every community to which they go.

We have in California 109,000 enemy aliens. How many of those will be moved out none of us knows, but assuming that a substantial portion of them is moved out and just put on the road indiscriminately. It would be an unspeakable situation for our country.

There must be a solution for them. There must be some resettlement program.

Mr. Sparkman. That, too, should be handled by the Army, in your opinion?

Attorney General Warren. I believe that is a problem of civil government. I believe that the problem of the Army would be to say, "You cannot come into this area because we don't believe that it is consistent with the security of the area." But once out of the area, it seems to me that it would be a problem of civil government to relocate and resettle those people, unless they were dangerous people that the Army wanted to intern or otherwise keep under surveillance. But if they were just doing it as a protective measure, not knowing whether as individuals they were dangerous or not, it would seem to me that it is more of a resettlement program than an Army problem.

Mr. Sparkman. You would divide the evacuees into two groups, then: One would be those considered to be dangerous?

Attorney General Warren. Yes, sir.

Mr. Sparkman. The other group simply those who were not desirable in a particular defense area and yet not considered necessarily dangerous?

Attorney General Warren. Yes, sir. I think we must.

In one situation the military would be in charge, and in the other situation it would be the civil government.

The Chairman. Don't you see right away the problem is looming before us as to where they are going to go as the evacuation increases in the Pacific Coast States? It may run into hundreds of thousands of people. So we will have to feel out—probably this committee will do it—as to where they are going to go; that is, what States, whether Nebraska, Kansas, and so on. For instance, if it were the other way around, and if you evacuated three or four hundred thousand into California, I don't know how we would take care of them here, don't you see.[1]

Attorney General Warren. That is correct. And even in California, that is a problem. A community of Japanese moved out of one city in our State and just moved over a little range of hills and started moving into another community. There was a tremendous uproar there and it hasn't subsided yet. Every time you move them en masse you create big problems not only for them but for the communities to which they go.

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[1] See pp. 27-30, House Report 1911, preliminary report by this committee.

REVIEW OF HARDSHIP CASES

Mr. SPARKMAN. In the mayor's statement he made some mention, I believe, of the hardship cases that might arise.

Attorney General WARREN. Yes, sir.

Mr. SPARKMAN. Would you agree with his panel to the effect that there should be some tribunal that could review hardship cases and perhaps give permits or licenses to reenter?

Attorney General WARREN. Well, Congressman, I don't believe that there should be any civil panel that would review the action of the military commander taken as a protective measure.

Mr. SPARKMAN. I didn't say "civil tribunal." I simply said "a tribunal."

Attorney General WARREN. I believe this: That the Army is in the very nature of things not equipped to know or to find out by itself who is loyal and who is not loyal among all of these hundreds of thousands of aliens that we have. I believe that it calls for the assistance of all the local authorities. For instance, when we are dealing with Italians in San Francisco, most of them came here years ago. They have been in established lines of business, and I believe by their conduct through the years the local authorities could come pretty close to telling the Army who at least would unquestionably be loyal. I think that the Army would probably call upon the local authorities and set up some agency for advising them and helping them on that subject. But I wouldn't have any council to which a man could appeal from the decision of the military commander in a situation like this.

Mr. SPARKMAN. I didn't intend to imply that. The point I was trying to get is this. I agree with you that final decisions should rest with those who are charged with responsibility for defending the area. That, of course, is the military.

Attorney General WARREN. Yes, sir.

Mr. SPARKMAN. The point I was trying to get at is this: Do you think that there ought to be flexibility in the order so as to permit those people whom the military command believed to be hardship cases and worthy cases to allow them to reenter under a permit or a license?

Attorney General WARREN. I do without question. There are thousands of people who are in this State who are nationals of countries with which we are at war, who would be just as loyal to this country as you and I. I think they can be ascertained.

IDENTIFICATION CARDS

Mr. SPARKMAN. Would you operate that through a system of identification cards or permits?

Attorney General WARREN. After it was determined which was which?

Mr. Sparkman. Yes.

Attorney General Warren. I would. Yes, sir. I am of the opinion that in these areas that are vital everybody ought to operate under a permit. I see no reason why I shouldn't have a permit to go into a vital military area or to move around, and I think about the only way that you can make it effective in an area is to give everybody a license or a permit, because if you just give the aliens a license or a permit all they have to do is to lose their permit or fail to bring it with them and they are in the same position as the rest of us. But if every man has to have a permit to move around in that area, whether he is a citizen or whether he is an alien, and he is called upon to produce his permit, it will show at a glance what his status is and whether he is violating the orders of the military in the area.

The Chairman. Of course, you are right about that. Now even Congressmen going down to the War and Navy Departments in Washington have to register.

Attorney General Warren. Certainly.

The Chairman. We have to get a permit. What's wrong about that? There is nothing wrong about it.

Attorney General Warren. We don't consider that an invasion of our civil rights.

The Chairman. Not at all.

Mr. Sparkman. And if you or I went over to Hamilton Field and tried to go in, we would certainly have to make some showing. I have no reluctance to carry my permit for entering the public buildings in the Nation's Capital.

Attorney General Warren. That's right.

Mr. Sparkman. And no other person should feel any infringement on his civil rights, you feel, if he should have to carry a permit to go about in strategic areas?

Attorney General Warren. Positively. And I think that every loyal citizen should welcome such a system.

CARE OF PROPERTY OF EVACUEES

Mr. Sparkman. What about the care of these alien properties?

Attorney General Warren. I am afraid that that is a situation that has not been adequately taken care of up to the present time. There is no Alien Property Custodian in these parts.

Mr. Sparkman. I believe the first evacuation is coming next week, is it not?

Attorney General Warren. The 24th; yes, sir.

Mr. Sparkman. That is a limited evacuation, is it not?

Attorney General Warren. Well, it prohibits alien enemies from being in certain very small zones, and then there are other restricted areas in which they operate under a curfew regulation.

Mr. Sparkman. I presume there are enemy aliens who own property within those areas from which they are to be prohibited?

Attorney General Warren. Yes, sir.

Mr. Sparkman. You say there is no provision so far as you know for taking care of the aliens' property?

Attorney General Warren. I said there was no Alien Property Custodian appointed for this area. The Federal Reserve bank has been the agency of the Treasury Department handling the Trading with the Enemy Act, and they may have some prerogatives in that regard, I can't say. But I believe that there has been no procedure set up here for handling of enemy property such as you have mentioned.

The CHAIRMAN. General, there is a little uncertainty as to the jurisdiction. We hope to get ironed out very soon who shall have the jurisdiction, the Treasury, the Army or someone else.

Attorney General WARREN. Yes, sir.

The CHAIRMAN. That is the hold-up in the matter.

Mr. SPARKMAN. What is going to happen to perishable goods that are owned by these people?

Attorney General WARREN. When they move out?

Mr. SPARKMAN. Yes.

Attorney General WARREN. I suppose until there is some plan for taking care of it, it is very likely to result in waste.

EXPLOITATION OF ENEMY ALIENS

Mr. SPARKMAN. Has there come to your attention any buying of this property for very low prices, speculating in it?

Attorney General WARREN. The statement was made to me a few days ago that in areas like the city of Alameda, where aliens are not permitted to be, there was considerable selling of household effects at a great sacrifice. Now, it was a member of a governmental agency who told me that, but I did not investigate it to see how widespread it was or just what the facts were.

Mr. SPARKMAN. Is it your feeling that there should be an office of the Alien Property Custodian established in this region?

Attorney General WARREN. Yes, sir; I think so without question. I don't believe that people should be permitted to exploit even our enemy aliens. I think there should be some Federal agency that would supervise those matters to see that no one is taken advantage of by designing people.

Mr. SPARKMAN. That is all.

The CHAIRMAN. Mr. Warren, on behalf of the committee we want to thank you. You have certainly made a very valuable contribution to our hearings here, and we are very grateful to you. We shall hold the record open for you so you can send us what you think should be included in addition to what you have said today.

Attorney General WARREN. Thank you very much, gentlemen of the committee. I want to say to you personally, Mr. Chairman, that it is a great pleasure to see you back here in California. I might say to you gentlemen, he is my Congressman.

The CHAIRMAN. We will take a 5-minute recess.

(Whereupon a short recess was taken.)

The CHAIRMAN. Will the committee please come to order?

Mr. Neustadt, will you take that seat there, please?

This committee is very pleased to have you with us again. You always give us a very valuable contribution and I know that you will help us out on this occasion.[1] I wish you would give your name, please, to the reporter and your official designation.

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[1] See pp. 4947-4962, pt. 12, San Diego hearings.

TESTIMONY OF RICHARD H. NEUSTADT, REGIONAL DIRECTOR, SOCIAL SECURITY BOARD, AND REGIONAL DIRECTOR, OFFICE OF DEFENSE, HEALTH, AND WELFARE SERVICES, SAN FRANCISCO, CALIF.

Mr. Neustadt. I am the regional director of the Social Security Board and also the regional director of the Office of Defense, Health, and Welfare Services.

The Chairman. Over what States do you have jurisdiction?

Mr. Neustadt. In the Social Security Board it is just the four States of California, Oregon, Washington, and Nevada. In this particular assignment of help to the western command, I follow the western command's eight-State region.

The Chairman. Congressman Arnold, will you interrogate Mr. Neustadt, please?

Mr. Arnold. Mr. Neustadt, the committee understands that the Federal Security Agency has been handling certain problems connected with the evacuation of enemy aliens. In the following questions we will use the term "alien" to designate aliens of Axis countries. Wherever your answers are also relative to alien citizens of American parentage, will you so indicate?

In my first questions I shall interrogate you with regard to the work of your office prior to the President's Executive order of yesterday. Is the committee correct in understanding that aliens to be evacuated from prohibited areas are registered with the Social Security Board's local offices?

PLACE OF FEDERAL SECURITY AGENCY IN EVACUATION

Mr. Neustadt. May I make clear that, in the first place, there is nothing mandatory about that. We are charged with the task, on behalf of the Department of Justice, of facilitating the transfer of enemy aliens from the prohibited areas to what are called the restricted areas. There is no compulsion on the part of those people to come to our office. We are a service agency acting on behalf of the Department of Justice.

Do I make myself clear, Congressman?

The Chairman. What do you do for money, Mr. Neustadt?

Mr. Neustadt. The President allocated $500,000 to Governor McNutt as Administrator, and he, in turn, vested the power in me to spend that money as it was needed. The determination of need and the allocation of funds is done in the usual way upon the request of the individual.

Right there, if you care, I might interject the fact that of approximately 6,500 enemy aliens who have come to our offices voluntarily—6,500, out of the expected nine to ten thousand who are involved in this transfer—most of them have come for information, information with respect to whether their residence is in the prohibited zone or whether where they contemplate moving to is in another prohibited zone or in a restricted area. Of those, only 140 have asked for financial assistance of any kind.

However, that small number is not to be taken as a measure of their need. Rather, it is to be taken as a measure of their pride and their desire to understand the reason for this order and their desire to be as cooperative with the Government as possible. In other words, we know of many cases who will need money, who have strained every resource to move out of the prohibited area, but they prefer to exhaust their own resources before asking for any aid of any kind.

Mr. Arnold. Then the registration with your agency is optional. Are these people required to register elsewhere?

REGISTRATION OF ENEMY ALIENS

Mr. Neustadt. If I may follow the course of the order, all "alien enemies," as we now call them, were required to register with the Department of Justice through the post office the last week of January. Then the Department of Justice decreed certain areas prohibited. Those who were living within those prohibited areas had to move. Under the regulations of the Department of Justice they were entirely free to move outside of the prohibited areas anywhere they wanted as individuals. If they moved into the B, or restricted, area they were subject to the regulations of the Department of Justice, which meant the constant carrying of their certificates, observance of the curfew, and the restriction not to move beyond 5 miles of their residence except to go to work or to school. So that movement was entirely voluntary on their part except that they could not stay within the prohibited areas except at the risk of being arrested.

Mr. Arnold. Is it true that under present evacuation plans evacuees ordinarily bear the expense of this movement?

Mr. Neustadt. At the present time that is true, certainly.

Mr. Arnold. How is their nonmovable property disposed of?

Mr. Neustadt. Unfortunately, no provision has been made, and many of them are just sacrificing it.

Mr. Arnold. You have knowledge that many are sacrificing their property?

Mr. Neustadt. I can't give you statistics, but we certainly have knowledge of many agriculturalists, and also others, who are sacrificing such little property as they have. There has been no provision for any custodianship of any kind.

Mr. Arnold. Does your office render purely informational service or does it provide assistance in cash at times to aliens who lack resources in moving?

ASSISTANCE TO EVACUEES

Mr. Neustadt. We have provided cash and kind, mainly cash, to those who have asked for it. We are continuing to do so. The needs are mounting, so that we expect by the 24th there will be many more than this 140 asking for financial assistance. We can continue to take care of those with this money so long as this money lasts, provided the order continues. We are not sure whether or not the order of the President last night cancels our rights to give aid to people who have not yet asked it. We know we can continue to aid so long as the money lasts for those who have already applied.

The Chairman. Mr. Neustadt, is there any limitation on the amount of money to give to the individual cases?

Mr. NEUSTADT. What we are doing, Congressman, is to take the most generous standard of aid given by the State. In other words, we are not giving these people more than we would give other people, but we are trying to give them a liberal, decent, minimum basis. The budget guide we are using here is the same guide as California uses for aid to those with dependent children. If the case is that of a single man, the same aid is given as that for old-age assistance.

Mr. ARNOLD. Do you know whether the Employment Service is accepting aliens for registration and referrals in the normal course of its operations?

Mr. NEUSTADT. Most assuredly they are. The Employment Office is where we have put up these centers. The United States Employment Service is part of those agencies.

Mr. ARNOLD. What type of employers are accepting these referrals?

Mr. NEUSTADT. At the moment, due to the hysteria, a great many employers are not accepting them. Indeed, they are discharging those that they have in spite of the President's desire. That is not animosity on the part of the employers as much as uncertainty. They have not known whether to continue to employ these people. But I would say all kinds of employers are employing aliens just as much as anyone else, provided they are not working within a prohibited area.

Mr. ARNOLD. Would you be able to provide the committee with a tabular summary of the data on alien activities handled through your office?

Mr. NEUSTADT. Yes. I already have.

Mr. ARNOLD. That will become a part of the record of this case.

(The statement referred to above and supplementary exhibits are as follows:)

STATEMENT BY RICHARD H. NEUSTADT, REGIONAL DIRECTOR, SOCIAL SECURITY BOARD, AND REGIONAL DIRECTOR, OFFICE OF DEFENSE, HEALTH, AND WELFARE SERVICES, SAN FRANCISCO, CALIF.

I. GENERAL INFORMATION

AUTHORITY UNDER WHICH PROGRAM OPERATES

Upon the request of and on behalf of the United States Attorney General, on January 31, 1942, Mr. Paul V. McNutt, Federal Security Administrator and Director of Defense, Health, and Welfare Services, accepted the responsibility of facilitating the transfer of alien enemies from areas designated by the Attorney General and to relocate and reestablish such aliens in appropriate places and in appropriate activities.

Under authority of regulation 9 of the Presidential proclamation of December 7 and 8, 1941, the Secretary of War recommended that certain areas be designated by the Attorney General of the United States as prohibited areas from which all alien enemies be absolutely excluded. Eighty-eight areas in California have as of this time been so designated.

REASON FOR REQUESTING ASSISTANCE OF FEDERAL SECURITY ADMINISTRATOR

The Department of Justice offered the following as the reasons why the Federal Security Administrator's assistance was requested:

1. Because the Department of Justice is not itself equipped to resettle these enemy aliens.
2. Because resettlement involves processes which are basically associated with the social services, including investigation of the needs and means of the aliens

affected, helping them to obtain appropriate employment, and otherwise assisting those who are not able to resettle and reestablish themselves in other locations.

3. Because the operating units of the Federal Security Agency already include many of the Federal services which are involved in such an undertaking.

4. Because, as Director of the Office of Defense, Health, and Welfare Services, the Federal Security Administrator had been designated to coordinate health and welfare services of all departments and agencies of the Federal Government, and of other agencies, public and private, to meet the needs of States and local communities arising from the defense program and make available to States and localities the services of specialists to assist in the planning and execution of State and local programs in the field of health, welfare, and related activities.

FEDERAL SECURITY AGENCY REGIONAL ACTIVITIES IN CONNECTION WITH THE PROGRAM

The Federal Coordinator of the Office of Defense, Health, and Welfare Services has designated the director of region XII of the Social Security Board and regional coordinator of defense, health, and welfare services as the person responsible for developing and putting into effect plans for the relocation and reestablishment of this alien group. Plans formulated so far include the offering of the following types of service: Registration and referral for employment, the issuance of unemployment compensation to those eligible for it, and the offering of social and financial assistance. The first two services will be offered through the regularly established Federal employment offices, and other assistance will be offered by a social assistance staff located in the employment offices, operating under the general supervision of the regional representative of the Bureau of Public Assistance.

PURPOSE AND SCOPE OF THE SOCIAL ASSISTANCE PROGRAM

The purpose of this program is to provide financial assistance and other services, on an emergency basis, to enemy aliens and their families whose normal living arrangements have been disrupted as a result of residence in areas now prohibited to them. Forms of assistance offered include—

1. Information, or referral to the proper source for information, needed by aliens in order that they may conform to existing regulations.
2. Services in connection with resolving problems of housing, moving, emergency medical care, and related contingencies.
3. Financial assistance on an emergency basis to cover immediate expenses directly attributable to moving from prohibited areas, and for which the alien has no immediately available resources.

Wherever available without delay, resources of existing social agencies and other organizations shall be used to secure forms of assistance needed by clients.

II. Organization of Social Assistance Staff

PERSON RESPONSIBLE FOR PROGRAM

The regional representative of public assistance, acting in her capacity as a member of the Coordinator's cabinet on evacuation of enemy aliens, is responsible for the administration of the assistance program to this group of persons. All of the social service staff of the program are under her general supervision, and through the regional coordinator she will make joint plans with the regional representative of employment security with respect to the work.

In discharging these responsibilities, the regional representative of public assistance will function in the areas of general administration, policy determination, and clearance with other Federal agencies. More immediate supervision of the staff is assigned to one of the assistant regional representatives of public assistance.

CENTRAL OFFICE, SUPERVISORY AREAS, AND UNIT OFFICES

The regional office of the Social Security Board, 785 Market Street, will be considered the central office. To facilitate the offering of services to the alien group, it is contemplated that the region will be divided into four supervisory areas—Washington, Oregon, Northern California and Nevada, and Southern California. Within each area there may be a number of unit offices, some covering portions of a county, some covering one county only and others covering more than one county. The size of the staff in each unit office will vary. The larger offices may be staffed by a unit supervisor, a case supervisor, and a staff of intake interviewers and social workers. In some unit offices the functions of the unit supervisor and case supervisor may be combined, and in others the functions of all four groups of staff may be performed by one person. All selection and assignment of staff will be made through the central office.

Intake and information centers within the area covered by a unit office will be located in the offices of the United States Employment Service.

RESPONSIBILITIES OF STAFF

The unit supervisor will be responsible for the work performed within the unit and more specifically will be responsible for setting up the office, putting into effect procedures that will assure smooth functioning of the office, and for securing information with respect to, and mobilizing community resources.

The case supervisor will supervise the work of the intake interviewers and social workers, will interpret to staff rules, regulations and policies, will review recommendations of intake interviewers and social workers, and will offer guidance and assistance to this staff in performing its functions.

The intake interviewers will, in general, perform the following activities: (*a*) To interview persons referred to the office, (*b*) to give information or refer to the proper source for information, (*c*) collect and record all significant financial and social data, (*d*) determine disposition to be made of case, (*e*) develop and execute assistance plan if such is needed, (*f*) plan additional investigation if indicated, (*g*) arrange for utilization of any available service which may assist in meeting problems directly connected with resettlement.

FIELD STAFF

A field staff working out of the central office in San Francisco will offer consultant service to the staff in unit employment security offices and will act as liaison officers between the central office and the unit offices. Plans call for one field staff member for each supervisory area. This field staff will continue to perform its other usual activities in addition to the duties outlined above.

III. CASE PROCEDURES

FIRST INTERVIEW

Interviewer (local Division of Social Assistance representative).

Persons seeking assistance of any nature are seen by the social-assistance interviewer. These persons may come directly to the interviewer or may be referred by the employment interviewer or by other agencies.

Purpose of interview.

The purpose of this interview is to determine the nature of the individual's problem, and other problems which may arise as a result of his situation, and to determine what can be done under the policies of the division to assist in the solution of his problem. This interview should result in a definite decision as to whether it will be a "minor service case" or a "major service case." (See Definitions, sec. III–6.)

Information to be obtained.

The first step in the interview is to secure from the applicant his own statement of the problem which has brought him to the office and the assistance he believes he needs. Financial and social factors should be learned so that an assistance plan can be formulated. In all instances, the inquiry card (FSA–dsa–1) is completed. If it is determined that a major service case classification will be made, the record card (FSA–dsa–2) is completed in this interview, if possible.

Information to be given clients.

If only information has been requested, and the need for further assistance does not appear probable, it should be ascertained that the individual's questions have been answered as completely as possible, and that he has a clear understanding of the information given him.

If any further contacts are necessary after the first interview, as definite a statement as possible should be made to the client including (*a*) what assistance he may be able to secure, on the basis of the information he has given, and (*b*) what arrangements will be made by the worker to follow up the first interview.

Those seeking information regarding any questions of United States citizenship are to be referred to the nearest office of the Bureau of Immigration and Naturalization of the Department of Justice. A list of offices of this Bureau will be provided.

If employment is needed, or an individual may be eligible for unemployment compensation benefits, he is to be referred to the United States Employment Service staff in the office in which the Division of Social Assistance representative is located.

MECHANICAL PROCEDURES

Definitions.

1. "Minor service case" means a case in which all necessary action is taken on the day of the initial interview, and no further contact is anticipated. It may not, therefore, remain active beyond the date of that interview. It may be reopened and changed to a major service case by preparing a case record, containing a record card (FSA–dsa–2), and assigning a case number. A copy of the record card is transmitted to the central office without an injury card being attached.

2. "Major service case" means a case in which contacts will continue beyond the date of initial interview and for which a record card has therefore been prepared and a case number assigned.

3. "Active case" means either a major or minor service case in which all necessary action for closing the case has not been completed.

4. "Closed case" means a case in which all action has been completed and it is reasonably certain that no further contacts with the client will occur. Cases will not be closed because individuals move from the vicinity of the local United States Employment Service office. During the emergency period, major service cases will not be closed in most instances.

Minor service case procedures.

One copy of completed inquiry card (FSA–dsa–1) is filed alphabetically in the central file containing these forms following completion of the inquiry. One copy of the form is forwarded to the central office not later than the close of business on the date of the initial interview. Enter a check in the box opposite "Inquiry completed * * * this " prior to filing and transmittal of the form.

Major service case procedures.

Filing and transmittal of the inquiry card is identical with that for minor service cases, except that a check is entered in the box opposite record card made, and the case number is entered in the proper space. In addition, a completed copy of record card (FSA–dsa–2) is filed with other case material in a case folder, on the tab of which is placed the client's name and case number. A copy of the record card, attached to the central office copy of the inquiry card, is transmitted to the central office not later than the date prepared, in as complete form as possible.

Assignment of case number.

Each local office has been assigned an identifying number in accordance with the attached list. This number will be used as a prefix number in connection with numbering of all cases. Example: Berkeley office is No. 2. Case No. 10 in Berkeley office will be marked 2–10. This prefix and case number will be used on all forms where case number is requested.

The local office number should be used on all forms to designate the office. Use the office number in place of the name of the office as heretofore.

The Division of Social Assistance representative in the local office will prepare a simple case number register, consisting of a notebook in which are listed numbers 1, 2, 3, 4, etc. The name of the household head in major service cases will be entered in ink to correspond with each number. The number corresponding with his name is the family case number for all purposes of recording, and this must be entered on the record card before it is transmitted to the central office. It must also be entered on both copies of the inquiry card.

Procedures for closed cases.

A minor service case automatically becomes a closed case at the close of date the interview is held. The inquiry card (FSA–dsa–1) is filed in the master index file, after indicating on it the disposition.

When a major service case is to be closed, a notice of case change is prepared in duplicate, one copy of which is placed in the case record, the other being transmitted to the central office. The case record is then filed in a location known as the closed case file.

Case records, files, and transmittals.

1. Case records will contain all case forms in the United States Employment Service office except inquiry cards, which are separately filed. Brief narrative entries, chronologically identified, will when necessary be entered on the reverse of the record card and on additional pages. The narrative will contain case plans and activities of the worker and the client in solving difficulties. Records are not to be removed from the local office. Local representatives of the Division of Social Assistance are not authorized to release any information contained in records to individuals or organizations unless cooperatively engaged in working on behalf of the client.

2. Files.—A master file containing all inquiry cards will be maintained alphabetically in the local United States Employment Service office. A copy of each daily transmittal will be filed chronologically in a folder. An active case record file and a closed case record file will be maintained in local offices. Case records will be filed numerically in these files.

3. Transmittals.—A daily transmittal (FSA–dsa–5) will be prepared in duplicate on each day on which forms are to be transmitted to the central office. This transmittal is to contain only the total number of each type of case form being forwarded on that day. One copy is retained in the local office, one going to the central office on the date for which it is prepared, accompanied by the forms listed on it. No forms are to be transmitted without being accompanied by this form.

LIST OF U. S. EMPLOYMENT SERVICE OFFICES TO WHICH SOCIAL WORKERS HAVE BEEN ASSIGNED, CALIFORNIA

Numbers indicate the Division of Social Assistance number for each location; these are not the numbers already in use by each United States Employment Service office. The numbers given here will be used as prefix for case numbers originating in these offices]

No.
1. Alameda, 1536 Park Street. Phone: Lakehurst 2–7300.
2. Berkeley, 2459-63 Shattuck Avenue. Phone: Thornwall 1389.
4. Eureka, 239 G Street. Phone: 624.
5. Fresno, 2146 Inyo Street. Phone: 36184.
7. Inglewood, 319 East Hillcrest Boulevard.
8. Long Beach, 416 Pine Avenue.
9. Los Angeles, 623 East Eighth Street. Phone: Ri. 4181.
10. Monterey, 266 Pearl Street.
11. Oakland, 115 Twelfth Street. Phone: Glencourt 3782.
12. Pittsburg, 480 Black Diamond. Phone: Pittsburg 413.
13. Richmond, 601 Nevin Avenue.
14. San Diego, 1165 Front Street.
15. San Francisco, 1690 Mission Street. Phone: Hemlock 3800.
16. San Jose, 393 South Second Street. Phone: Columbia 4646.
17. San Luis Obispo, 967 Osos Street.
18. San Mateo, 15 B Street.
19. San Pedro, 250 West 17th Street.
20. San Rafael, 1557 Fourth Street. Phone: S. R. 1637.
28. Santa Cruz, 23 Front Street. Phone: Calif. 555.
21. Santa Monica, 1558 Fifth Street.
22. Santa Rosa, 501 Third Street.
23. Stockton, 201 North San Joaquin Street.
24. Ukiah, 20 Smith Street.
25. Vallejo, 515 Marin Street.
29. Watsonville, 21 West Lake Avenue.

FORMULATION OF A SOCIAL PLAN

Responsibility of social-assistance worker.

The primary responsibility of the social-assistance worker is to assist the applicant in making a social plan, the need for which has arisen because of a required move in connection with Department of Justice orders. Such a plan must have a verified factual basis and should contain assurances that the applicant will be able to reestablish himself after relocation. This plan should take into consideration employment opportunities and therefore should be made in cooperation with the employment service.

Referral for employment interview.

If an applicant is unemployed he should be referred immediately to the employment interviewer for job registration if he has not already registered. Generally, the registration for a job should precede the discussion with the social worker of the plan for relocation.

Home visit.

A home visit should be made whenever possible in every case when financial assistance is requested. The primary purpose of the visit is to verify the present residence in a prohibited area inasmuch as assistance is granted only to meet needs arising as a result of Department of Justice orders concerning prohibited areas. Additional verification of need and information necessary for the formulation of a social plan should also be procured at the time of the home visit.

Relocation and resettlement plan.

Insofar as possible, families should be relocated within the county of residence when the worker does not have full assurance that the family will be able to manage independently in another county. This should be done even though such a move may represent a temporary relocation which will necessitate a second move later on. The important thing to remember is that prohibited areas must be cleared by specified dates, and that there may not be sufficient time to work out with the individual or family a complete plan for relocation and resettlement before the deadline date for evacuation from the prohibited area.

If the individual or family requests assistance in moving out of the county of residence, one of two facts must be known—that there is a job or other employment opportunity available in the county of new residence and/or that there is other evidence of support in such a county. There may be some instances in which, because of the extent of the prohibited area, a move outside the county of residence is necessary even though there is no evidence of support in the county of new residence. It is not anticipated that the number of such cases will be large, and any such plans should be approved by a representative of the Social Security Board office.

Generally, plans for moving out of the State should not be made. Any such contemplated plans are to be submitted for approval to the central office with full information as to the reason for the plan and with some indication as to how the validity of such a plan may be verified.

Verifications.

The following are the facts that should be verified and the methods of verification to be used:

(*a*) *Residence in a prohibited area.*—To be verified by a home visit, unless the worker, usually in a small community, has other assurances that the present residence of the individual or family is as stated by him.

(*b*) *Need.*—To be verified by a discussion with the family of its financial condition, and where necessary and feasible, by references, clearance with present or past employer and with banks.

In connection with need, it should be borne in mind that there are varying degrees of need. A family with income, able to meet all normal and usual requirements, may not be able to meet the additional expense of moving and/or expenses incident to moving, and in such situations, assistance may be granted to meet these extra expenses.

(*c*) *Moving costs.*—If the family plans to move by common carrier and to transport household effects by a transfer or express company, the cost is to be verified by a telephone call to the companies concerned.

If the family plans to move through the services of friends, which services are to be reimbursed, the cost is to be verified by discussion with the family and/or friends of the estimated cost, and by checking the reasonableness of such estimated mileage cost with automobile associations, gas and oil companies, etc.

(*d*) *Employment in a county of nonresidence.*—To be verified by clearance with the United States employment office in which social worker is located, with United States employment office in county of nonresidence or with prospective employer. The clearances with employment offices and employers in other counties may be made by wire or telephone. These wires and/or telephone calls may be charged to the employment service office. (See next item.)

(*e*) *Other evidence of support in county of nonresidence.*—If a family claims support by relatives or friends in another county this claim should be verified through the county welfare department of the county of nonresidence. In securing such verification, a wire or telephone call may be made to such county department requesting that a visit be made for the purpose of ascertaining the authenticity of the new address and the claim that continued support is available. The reason for the request should be made clear by indicating that it is in connection with evacuation of aliens.

Such wires or letters should be addressed to the director of the county welfare department and should be signed by the social worker as a representative of the Federal Security Agency. These wires and/or telephone calls may be charged to the Employment Security Office. The form of the wire is as follows:

Name.
Director, County Welfare Department.
Address.

Re enemy alien evacuation. John Doe and family of six children have requested assistance in moving to 201 Main Street, X County. Claim that John Brown brother will support family in his home. Will you please visit Brown family and advise us by wire or phone of correct address and authenticity of Doe family claim.

JANE SMITH, *Worker, Social Security Board.*

(*f*) *Employment and/or other evidence of support in another State.*—Full information with respect to the reason for such a contemplated move, the address to which the family wishes to move, the addresses and names of persons in the other State who know the family, should be transmitted to the central office by wire, letter, or telephone for clearance with the other State. Such wires and/or telephone calls may be sent collect to the Social Security Board office, 785 Market Street, San Francisco.

IV. DETERMINATION OF ASSISTANCE PAYMENTS

ELIGIBILITY

Assistance payments are designed to provide for specified emergency needs arising from removal of aliens and their dependents from prohibited areas. Assistance may be in cash, kind or congregate care, and may include transportation of aliens and their dependents to approved destination, transportation of such household and personal effects as are immediately essential to maintenance, and assistance not to exceed the assistance standards of the California aid to dependent children program (Budget guide is in appendix).

Funds allocated to the Federal Security Agency for this program are intended to provide assistance to aliens whose need arises directly and immediately as a result of the actions of the Department of Justice in prohibiting the presence of enemy aliens in certain areas and restricting or curtailing their activities in other areas. In other words, the funds have been allocated to meet temporary and emergency needs essential to relocation and resettlement resulting from Department of Justice actions, and in no sense are they intended to provide for another category of assistance.

If the applicant is able to provide for the specific requirements allowed in this program, or if his needs are not the result of the above-mentioned actions of the Department of Justice, he is not eligible for financial assistance. In other words, eligibility for this assistance does not depend solely on the fact that the applicant is an alien of an enemy nationality, but rather upon this fact plus the fact that his needs are a result of Department of Justice orders. Where current grants of other forms of public assistance, received by aliens living in prohibited areas, do not cover the extra expense of moving, and/or expenses incident to moving, supplementary assistance to cover moving costs may be given from this program. If moving plans are made for such persons, they should not interfere with this other regular assistance. In general, it is required that all immediately available costs or other resources be used for meeting the needs.

Eligibility for assistance and the amount to be issued are determined by (*a*) evaluating a specified group of needs and (*b*) determining what resources are available to the applicant for meeting them. If the total under (*b*) is less than that under (*a*) that amount is the amount of the assistance payment.

PERSONS TO BE INCLUDED IN ASSISTANCE PLAN

1. The base of assistance plan, wherever possible, is the portion of the normally constituted family group which remains intact during the following resettlement. (Example: An employed adult son who is a citizen will remain with his family after it moves. He would be included in the need section of the assistance plan, and his immediately available resources would be included in the resources section.)

2. If only a portion of the family moves from a prohibited area (i. e., an alien grandfather, or an entire family except for self-supporting citizen members) the assistance includes the portion of the family which moves, and resources of those remaining in the prohibited area are considered in the amount which is above and beyond normal expenses of those who remain.

3. If, in separations occurring in normal family groups, members of the family dependent upon enemy aliens but separated from them for some reason are included in separate assistance plans and given separate assistance payments.

4. Unattached enemy aliens.

ASSISTANCE PLAN

The assistance plan to be followed is the State of California aid to dependent children assistance plan (budget guide included in appendix). Assistance plans are to be made for a 2-week period.

1. Requirements.

Amounts provided in all budgets for requirements are determined as follows:

(*a*) *Food.*—One-half of monthly allowance as listed in the quantity-cost budget for each member of the household, for the county in which the family resides. Percentage increases and decreases by size of family provided in the budget are to be followed.

(*b*) *Housing.*—Actual rental with a maximum, unless clearly unfeasible as listed in the standard budget. No allowance for housing if living in own home or in the home of friends or relatives permanently residing in the locality.

(*c*) *Utilities.*—Light and fuel for heat and cooking are allowed on the basis of actual cost, with no restrictions as to the type of utility used. The standard utilities allowance provided in the State department of social welfare standard budget is the maximum as a general policy, and is the amount allowed if the cost is not known.

(*d*) *Moving.*—Actual cost with a maximum amount. When arrangements are made by the applicant without any expenditure, no amount will be included in the plan as estimated.

(*e*) *Transportation.*—Actual amount involved in going to work, looking for work, or properly located housing or securing medical care.

(*f*) *Medical care.*—Where no medical facilities are available and health problems of a nature requiring immediate medical care, medicine, diets, or nursing service, these will be allowed on the basis of verified need and verified costs (following the receipt of services and medicine by the recipient).

(*g*) *Clothing.*—Will be allowed only when the need arises directly from conditions involved in resettlement.

(*h*) *Other.*—Any special needs can be authorized only when approval has been given by the area supervisor.

2. Resources.

All resources, including real and personal property, must be listed and described showing location, value, encumbrances, and any other significant information.

Total family income showing nature and source must be recorded. This is to include any contribution and benefits.

In computing needs immediately available resources (assets in usable liquid form) and income are to be deducted from estimated requirements.

Expenditures necessary to the maintenance of existing investments are not considered immediately available for purposes of this program.

If free housing and/or utilities are available through funds or relatives, they will not be considered as requirements so therefore the means through which they are provided need not be considered resources.

Income will be computed as net income which is the difference between total income secured and all direct cost incurred in obtaining it.

FINANCIAL ASSISTANCE

After determination of the need for financial assistance, same will be granted by the social worker through the medium of the disbursing order Form FSA–dsa–3. (Detailed instructions in appendix.)

The disbursing order provides for granting assistance in cash, and/or in kind and services. The disbursing order is prepared by the worker in four copies, which are utilized and routed as described below.

(*a*) *Cash grant of assistance.*—If a cash grant of assistance is to be provided to the client, the social worker sends the original (white) copy and the yellow copy of the disbursing order; properly filled out, to the local certifying officer, and the check, in the amount indicated, will be mailed by the certifying officer directly to the client's address. Cash grants cannot be promised clients earlier than 2 days after the disbursing order is written by the worker. If this is too much of a delay, other provisions should be made. (See below.)

Social workers in the Los Angeles area, San Diego, and San Luis Obispo will direct the white and yellow copies of the disbursing order for cash to the local certifying officer, Mr. Emory H. Johnson, room 446, United States Post Office and Courthouse Building, Los Angeles. In all other offices and areas these copies will be directed to the regional office, Social Security Board, 785 Market Street, San Francisco, Calif.

The green copy of the disbursing order is mailed at the end of the day to the regional office together with Forms FSA–dsa-1 and FSA–dsa-2 via the transmittal sheet.

The pink copy is attached to the case record.

(*b*) *Assistance in kind and/or in services requiring payment.*—If assistance is provided by payment of rent, payment for medical services, clothing, transportation of household goods, or any type of merchandise or service in which a third person (the vendor) is involved, the worker gives the original (white) copy and the yellow copy to the client. The client presents the disbursing order for delivery of the goods or services in lieu of payment.

Wherever possible the transportation of household goods should be arranged to be paid for by the client out of the cash grant. If necessary, a disbursing order should be issued on the draying or moving concern, same as on any other vendor.

The green copy of the disbursing order is again mailed at the end of the day to the regional office.

The pink copy is attached to the case record.

(*c*) *Assistance in form of transportation by rail or bus.*—Unless it seems more desirable to cover the cost of transportation in the client's cash grant, all transportation expenses will be provided through the medium of the regular Government request. The workers are supplied with books of Government requests for transportation. These must be treated by the worker as though actual cash were disbursed.

If a Government request for transportation is issued to the client, the worker will indicate on the disbursing order the number of the request, on what company or railroad, and the amount represented. The value will have to be obtained, prior to issuance of the request, from the railroad or bus company involved. Prepare only one request for transportation of a family group. See detail instructions for use of Government requests for transportation in the appendix.

The worker will obtain the client's signature in original on the white copy of the disbursing order and in carbon on the three remaining copies when she delivers the travel request to the client.

In these transactions the worker will retain the white copies of the disbursing order in a separate personal file as a receipt to account for the requests issued to clients.

The yellow and green copies of the order are mailed at the end of the day to the regional office.

The pink copy is attached to the case record.

V. LIMITATIONS ON ALIENS OF ENEMY NATIONALITIES IMPOSED BY THE DEPARTMENT OF JUSTICE

USE OF INFORMATION IN THIS SECTION

The conduct of aliens of enemy nationalities is the responsibility of the United States Department of Justice. Aliens of enemy nationalities will have many questions regarding the effect of restrictions imposed by the Department of Justice. This statement of information and interpretation has been prepared to aid in answering many of these questions, and has been cleared with the Department of Justice. The statement is purely informational, and replies to any question of conduct, location, and activities of an alien of enemy nationality must be given with that understanding.

GEOGRAPHICAL AREAS IN WHICH ACTIVITIES OF ALIENS OF ENEMY NATIONALITIES ARE SPECIALLY CURTAILED OR LIMITED

There are two categories of restricted areas:

Category A.—Those areas within or through which no alien of enemy nationality may be permitted under any circumstances.

Category B.—Those areas through or within which enemies of alien nationalities may be permitted on pass or permit.

In your kits are lists describing prohibited and restricted areas in California, as designated by the Attorney General, upon recommendation from the Army and the Navy.

These lists also set forth the effective date for the restrictions for each of the areas.

General public notices have been given through the press and by radio announcement to the effect that aliens of enemy nationality must move from prohibited areas prior to the effective dates. No individual notices have been given to the particular aliens affected.

INTERPRETATION OF LIMITS OF AREAS

(*a*) In the official descriptions of the class A areas, it is frequently stated which side of a street or highway constitutes the boundary line of the prohibited area. This is for the purpose of determining whether the street or highway is included in or excluded from the prohibited area.

1. Where the boundary line is on the side of the street or highway across from or opposite to the prohibited area, the street or highway is included in the prohibited area. Aliens of enemy nationalities are denied all use of such streets or highways. Further, they must vacate and will thereafter be denied access to buildings and other structures on both sides of such prohibited streets or highways.

2. Where the boundary line is on the same side of the street or highway as the prohibited area, the said street or highway is excluded from the prohibited area. In such case aliens of enemy nationalities may use and travel over the said street or highway. They may remain in and have access to the buildings and other structures on the free or open side of the street or highway, but must vacate and will thereafter be denied access to the buildings and other structures on the closed side of the street which is within the prohibited area.

For example, the boundary of prohibited area No. 19 within the city of San Francisco is described in part as follows:

"* * * thence west along the south line of North Point Street to the west line of Van Ness Avenue, thence south to the north line of Bay Street, thence west along the said north line of Bay Street to the east line of Webster Street, * * *" etc.

In this instance the prohibited area lies north of the above boundary line. Hence North Point Street is closed to all enemy alien travel and must be evacuated on both sides since the boundary is on the south line of said street. On the other hand, Bay Street is open to enemy alien travel since the boundary line is on the north side of said street.

(*b*) The official descriptions of other class A prohibited areas simply refer to a street or highway being the boundary line. Thus, prohibited area No. 13 is described in part as follows:

"* * * commencing at the west end of Berkeley Municipal Fishing Pier. The line runs then east along said pier to University Avenue, then east along University Avenue to Grove Street, then north along Grove Street to Arlington Avenue, then continues along Arlington Avenue * * *" etc.

In such cases the streets named as the boundaries are not within the prohibited areas. Aliens of enemy nationalities may use and travel over these boundary streets. They may have access to and remain in buildings and other structures on the free and open side of such streets, but must vacate and will thereafter be denied access to buildings and other structures on the closed side of the street which is within the prohibited area.

GENERAL—RESTRICTIONS ON ACTIVITIES OF ALIENS OF ENEMY NATIONALITIES

The activities of all aliens of enemy nationalities (i. e., citizens or subjects of Germany, Italy, or Japan) are subject to restrictions throughout the entire United States. In addition, special restrictions on their activities have been imposed in the two general classifications of areas described in section V-2. Explanation of the special restrictions applicable in these two types of areas is set forth in the ensuing pages.

All aliens within the United States were required to register under the Alien Registration Act of 1940. Since the outbreak of war a special registration of aliens of enemy nationalities was conducted commencing Monday, February 2 and closing on Monday, February 9. In this resigtration aliens of enemy nationalities applied for certificates of identification, which will be issued to them. Enemy aliens permanently confined to their homes were not required to register. Persons temporarily confined were required to complete a special form which was obtained for them at the post office registration center. Within 5 days after they are no longer bedridden these persons must register.

You are being supplied with Form AR-AE-26, Summary of proclamations of the President of the United States, etc., which under items 1 and 2 describes the persons who have been required to apply for these certificates of identification. A copy of this summary was supplied to each registrant. Any persons who have any questions as to registration requirements should be referred to the nearest office of the Immigration and Naturalization Service. A list of these offices is included in your set of instructions.

The fact must be borne in mind at all times that the administration of all regulations pertaining to the conduct of enemy aliens has been entrusted to the Department of Justice, and that authoritative answers to questions as to the administration and interpretation of the regulations may be made only by representatives of that Department. For the present, when questions arise for which you do not have clear and explicit instructions, you must refer such questions immediately to the regional office of the Social Security Board in San Francisco. Accordingly, you will not make any contacts in this regard with other Government agencies.

GENERAL REGULATIONS REGARDING TRAVEL BY ALIENS OF ENEMY NATIONALITIES

General comments.—The regulations of the Department of Justice pertaining to travel by aliens of enemy nationalities generally have been summarized in printed Form AR-AE-26, paragraph 11, as follows:

"No alien of enemy nationality shall travel or move from place to place without having obtained permission of the United States attorney for the judicial district in which he resides with the exception that such permission is not required for travel within the urban or rural community in which the alien resides, for commuting to business or for travel to places of worship or school, or to transact business with public officials. Such permission may be granted by the United States attorney in accordance with the provisions of the Attorney General's revised regulations."

Until further modified, the foregoing regulations will continue to apply throughout the entire State of California, with two important exceptions, viz, (*a*) they do not apply in prohibited areas on and after the effective date of the prohibitions applicable to each such area (after such effective date an alien of enemy nationality may not live or work or travel or be within a prohibited area for any reason whatsoever), and (*b*) after February 24, 1942, further restrictions on travel of aliens of enemy nationalities will apply in the restricted areas designated in the orders of the Attorney General.

Restrictions applicable in restricted areas.—Aliens of enemy nationalities residing and employed within class B areas may remain therein, provided they obey all regulations. The more important of these are as follows:

A. They must remain in their residences from 9 p. m. to 6 a. m.

(In special cases United States attorneys are authorized to grant exceptions upon proper application to them. This application must be made in writing. Such exceptions will be granted only for compelling reasons and after investigation.)

B. They may travel between their residences and their places of business or employment. Except when they are at work or going to and from work, they must at all times be within 5 miles of their residences. This means that they may be employed at distances of more than 5 miles from their residences and may travel to and from work. For any other purpose, however, they may not travel more than 5 miles from their residences.

(In special cases, United States attorneys are authorized to grant exceptions upon applications made in writing. Exceptions will be granted only in compelling cases and after suitable investigation.)

C. Exceptions when finally granted must be endorsed on the alien's certificate of identification by the United States attorney.

D. Aliens of enemy nationalities must obey such further regulations as may hereafter be promulgated.

Any alien of enemy nationality is liable to internment for the duration of the war for any infraction of regulations. Aliens not interned but deemed by the authorities to be undesirable are subject to removal from the limits of class B areas by revocation of permission granted. Revocation of the permission shall be endorsed on the alien's identification certificate by the United States attorney.

Provisions applicable in prohibited areas.—Since aliens of enemy nationalities are subject to summary apprehension and internment if they violate the restrictions relating to prohibited areas, it is important that all questions regarding the boundaries of these areas be referred immediately to the regional office of the Social Security Board, which will undertake to secure an authoritative answer. Under no circumstances should you assume responsibility for answering such a doubtful question.

No aliens of enemy nationalities may be permitted within or through a prohibited area under any circumstances on and after the effective date of the restrictions. Consequently, the alien may neither work nor reside or enter upon such an area for any purpose. An incapacitated alien of enemy nationality may not remain in a prohibited area even though his abode is with a citizen family. Such an alien must leave a prohibited area, regardless of his or her marital status or family responsibility. An alien of enemy nationality may have his business, if located within a prohibited area, operated by a citizen, but the alien may not enter the area at any time. Under existing regulations, his interest in his business is not otherwise impaired.

The Department of Justice has advised that no exceptions will be made to these prohibitions.

TRAVEL BY ALIENS OF ENEMY NATIONALITIES IN CHANGING RESIDENCES TO COMPLY WITH ORDERS OF THE ATTORNEY GENERAL

(For more complete detail on this subject, see "Regulations Governing Travel by Enemy Aliens" in Appendix)

In order to meet the special situation presented by the orders of the Attorney General designating certain areas as prohibited to such aliens, and requiring their removal therefrom, the United States attorneys for both the northern and southern districts of California have adopted the following regulations and procedures respecting the travel of enemy aliens involved in their evacuation from prohibited areas. These are:

1. *Change of residence to place within same community.*

If residence is changed from one place to another within the same urban or rural community, no prior permission to travel for this purpose need be secured. However, promptly after arrival at the new residence, the enemy alien must give written notice of the change of residence to the United States attorney for the judicial district in which the alien formerly resided. In addition, the enemy alien must mail (*a*) a similar notice to the local office of the Federal Bureau of Investigation, nearest his former residence, and (*b*) a notice of the change of residence to the Alien Registration Division of the Immigration and Naturalization Service, Washington, D. C.

2. *Change of residence to place outside rural or urban community.*

In order to lawfully travel from a prohibited area to a new place of residence in a nonprohibited area which place is outside the urban or rural community of present residence, the enemy alien must secure *prior* permission from the United States Attorney for the judicial district in which he has been residing. If time will allow, and the distance is not so great as to cause inconvenience or impede evacuation from the prohibited areas, alien enemies needing permission to travel to a new place of residence under the above regulations should be sent to the nearest United States attorney's office to secure such permission *prior* to departure. However, whenever it appears advisable to do so, in the interests of expediting evacuation from prohibited areas prior to the effective date of the Attorney General's orders, a permit to travel may be issued by the employment office manager, if he has been expressly designated by letter from the regional director to exercise such authority. In all cases in which a travel permit is issued by either the United States attorney or an authorized person in the local employment office, the enemy alien should be advised that upon arrival at the new place of residence, notices of the change of residence should be promptly mailed by him to (a) the United States attorney of the district where the alien formerly resided, (b) the local office of the Federal Bureau of Investigation nearest his former residence, and (c) the Registration Division of the Immigration and Naturalization Service in Washington, D. C. Forms of notices to these agencies should be supplied to the alien, as explained in the preceding paragraph 1 of these instructions. Since enemy aliens who fail to comply with the regulations are subject to summary apprehension and internment, it is important that they observe the regulations.

3. *Instructions governing issuance of travel permits.*

Certain of the Employment Office managers, expressly designated by a letter from the regional director, are authorizde to issue travel permits to enemy aliens, but only for the purpose of traveling from a prohibited area to a nonprohibited area for the purpose of effecting a permanent change of residence. This means that permits can only be issued to facilitate evacuation from prohibited areas. They cannot be issued for any other purpose. The phrase "permanent change of residence" refers to a change of residence of indefinite duration. It does not mean that the permittee must intend to remain at the new address forever. No one, except a person expressly designated by letter from the regional director, has authority to sign these permits, and he cannot delegate his authority to any other person.

4. *Travel by enemy aliens seeking employment.*

The existing regulations authorize limited travel by enemy aliens for specified purposes and within fixed limits (i. e., the limits of the urban or rural community of residence, and after February 24, 1942, in restricted areas—class B, within 5 miles of such residence). Travel for other purposes or beyond these limits is not authorized unless the enemy alien has first obtained the permission of the United States attorney for the judicial district in which he resides.

The authority delegated to the Federal Security Agency by the United States attorneys in California, which has been assigned to certain of the employment office managers, to issue travel permits is strictly limited to granting permits, in accordance with the instructions set forth above, only (1) to aliens living in the prohibited areas, (2) for the exclusive purpose of traveling to effectuate a permanent change of residence to some nonprohibited area. It does not include authority to grant such permits to any other class of enemy aliens or for any other travel purpose. Specifically, permits cannot be granted by employment office managers to any enemy alien for the purpose of traveling in search of employment. All enemy aliens seeking travel permits for such a purpose should be advised to apply to the nearest United States attorney.

PROPERTY TRANSACTIONS OF ALIENS OF ENEMY NATIONALITIES

1. Japanese nationals, domiciled and residing only in the United States at all times on and since June 17, 1940, and who have not acted or purported to act directly or indirectly for the benefit of any enemy country, may transact business concerning their property under General License 68A, issued by the United States Treasury Department.

Japanese nationals having property interests of $1,000 or more in value must file report TFR 300, series J, with the Federal Reserve bank on or before February 28, 1942. Such nationals must not by any transaction, either directly or indirectly, substantially diminish or imperil or otherwise prejudicially affect their assets or financial position.

2. German and Italian nationals, domiciled and residing only in the United States at all times on or since June 1, 1940, may deal freely with their property. (Executive Order No. 8389, as amended, and General License 42, United States Treasury Department.)

3. Aliens of enemy nationalities are prohibited from having in their possession, custody, or control or from using or operating certain prohibited articles. These prohibited articles include among other things, radio transmitters, short-wave radio receiving sets, cameras and firearms.

Aliens of enemy nationalities having questions relating to property and business transactions should be referred to the nearest bank which is a member of the Federal Reserve System.

4. The United States attorney for the judicial district in which an alien of enemy nationality resides may, under certain specified conditions, grant permission to an alien of enemy nationality to use or operate or possess short-wave radios, cameras, or other prohibited articles. To obtain information as to the circumstances under which such permission will be granted, an alien of enemy nationality should consult the Attorney General's revised regulations. If he needs further information, he should consult the United States attorney nearest his residence.

EXHIBIT A.—SUMMARY OF PROCLAMATIONS OF THE PRESIDENT OF THE UNITED STATES OF DECEMBER 7 AND 8, 1941, AND JANUARY 14, 1942, AND OF REGULATIONS OF THE ATTORNEY GENERAL THEREUNDER 1942, PRESCRIBING THE CONDUCT TO BE OBSERVED BY ALIENS OF ENEMY NATIONALITIES

The proclamations of the President of December 7 and 8, 1941, direct the conduct to be observed by aliens of enemy nationalities in the United States who have not been naturalized as citizens of the United States. The proclamation of the President of January 14, 1942, requires that aliens of enemy nationalities shall apply for certificates of identification in the manner required by the regulations of the Attorney General. Under the authority of the proclamations the Attorney General has issued revised regulations governing the possession of radios, cameras, firearms, and other prohibited articles and the travel of alien enemies, and regulations requiring applications for certificates of identification at specified times. It is their duty to become acquainted with these regulations and to become familiar with any other regulations which are hereafter issued. For convenience and merely as a guide, a summary of these regulations follows but the summary does not take the place of the regulations.

1. The aliens of enemy nationalities required to apply for certifications of identification and to observe the regulations include all persons of the age of 14 years or over who are German, Italian, or Japanese citizens or subjects or who are stateless but who at the time at which they became stateless were German, Italian, or Japanese citizens or subjects.

2. Persons not required to apply for certificates of identification or to comply with the revised regulations include German, Italian, and Japanese citizens or subjects who became citizens or subjects of any nation other than Germany, Italy, or Japan, before December 7, 1941, in the case of former Japanese citizens or subjects, and before December 8, 1941, in the case of former German or Italian citizens or subjects, and also Austrians, Austrian-Hungarians, and Koreans who registered as such under the Alien Registration Act of 1940.

3. Aliens of enemy nationalities are required to preserve the peace toward the United States and refrain from any hostility to the United States or from in any way aiding the enemies of the United States.

4. Aliens of enemy nationalities are prohibited from having in their possession, custody, or control or from using or operating certain prohibited articles. These prohibited articles include among other things, radio transmitters, short-wave radio receiving sets, cameras, and firearms.

5. The United States attorney for the judicial district in which an alien enemy resides may, under certain specified conditions, grant permission to an alien of enemy nationality to use or operate or possess short-wave radios, cameras, or other prohibited articles. To obtain information as to the circumstances under which such permission will be granted, an alien of enemy nationality should consult the Attorney General's revised regulations and if he needs further information he should consult the United States attorney.

6. Aliens of enemy nationalities are forbidden to make any flight in any type of airplane or aircraft and are forbidden from entering or being found in or upon any highway, waterway, airway, railway, subway, public utility or building not open and accessible to the public generally and not generally used by the public. All aliens of enemy nationalities are forbidden to enter or leave the United States except under the regulations in the proclamation of the President of November 14, 1941, and all the regulations promulgated thereunder.

7. No alien of enemy nationality shall be found within any area which shall be designated by the Attorney General as an area within which alien enemies shall not be found and no alien enemies shall reside within an area which shall be

designated by the Attorney General as an area within which alien enemies shall not reside.

8. No alien of enemy nationality shall change his place of abode or residence or his place of employment or of occupation without having at least one week before such a change filed with the United States attorney for the judicial district in which he then resides, a written notice of intention to change his place of residence.

9. No alien of enemy nationality shall assume or use any other than his legal name except as authorized by or under law.

10. Whenever an alien of enemy nationality who is a holder of a certificate of identification changes his name, residence, address, or place of employment, a written notice shall immediately be given to the Alien Registration Division of the Immigration and Naturalization Service and the local office of the Federal Bureau of Investigation shown in the holder's certificate of identification.

11. No alien of enemy nationality shall travel or move from place to place without having obtained permission of the United States attorney for the judicial district in which he resides with the exception that such permission is not required for travel within the urban or rural community in which the alien resides, for commuting to business or for travel to places of worship or school, or to transact business with public officials. Such permission may be granted by the United States attorney in accordance with the provisions of the Attorney General's revised regulations.

12. An alien of enemy nationality who fails to comply with the provisions of the proclamations and regulations prescribing the conduct to be observed by alien enemies, is subject to apprehension, detention, and internment for the duration of the war.

Francis Biddle,
Attorney General.

Exhibit B.—Letter From Attorney General Biddle to Hon. Paul V. McNutt, Asking Him to Undertake the Task of Facilitating the Evacuation of Enemy Aliens From Restricted Areas

Department of Justice,
Office of Attorney General,
Washington, D. C., January 31, 1942.

Hon. Paul V. McNutt,
Administrator, Federal Security Agency, Washington, D. C.

Dear Mr. McNutt: Under authority of regulation 9 of the Presidential proclamation of December 7 and 8, 1941, the Secretary of War has recommended that certain areas be designated by me as prohibited areas from which all alien enemies are absolutely excluded. Over 40 areas in California have already been so designated, in which a sizable but as yet undetermined number of aliens either live or work. Other larger areas along the west coast are to be designated as restricted and these restrictions make it difficult to resettle in these locations the persons removed from the prohibited areas.

The Department of Justice is not itself equipped to resettle these alien enemies. Resettlement involves processes which are basically associated with the social services, including investigation of the needs and means of the aliens affected, helping them to obtain appropriate employment, and otherwise assisting those who are not able to resettle and reestablish themselves in other locations.

The operating units of the Federal Security Agency already include many of the Federal services which are involved in such an undertaking. As Director of the Office of Defense Health and Welfare Services you have been designated to coordinate health and welfare services of all departments and agencies of the Federal Government, and of other agencies, public and private, to meet the needs of States and local communities arising from the defense program and make available to States and localities the services of specialists to assist in the planning and execution of State and local programs in the field of health, welfare, and related activities.

I am, therefore, requesting you, as Federal Security Administrator and as Director of Defense Health and Welfare Services, to undertake, on behalf of the Department of Justice, the task of facilitating the transfer of alien enemies from areas designated by me and to relocate and reestablish such aliens in appropriate places and in appropriate activities. If you see fit to accept this responsibility on behalf of the Attorney General, you will of course call upon the services of other Federal agencies which can contribute to the effectiveness of this migration; my own Department stands ready to assist you with its services and authority in any operations which you find necessary in carrying forward this assignment. We will cooperate with you in making available the lists of names and addresses of the persons who are affected by the removal orders which I issue and any other appropriate information on file in the Federal Bureau of Investigation, the Alien Enemy Control Unit, the Immigration and Naturalization Service, or other branches of this Department. My agents in the field will similarly make available such information to your designated representatives.

No money is now available for me to transfer to your Agency to accomplish this migration. If you are willing to undertake it, I will request the President, through the Director of the Bureau of the Budget, to make available to you as Federal Security Administrator, from the emergency fund of the President, such moneys as are necessary, for the purposes I have outlined, pending any congressional appropriation that may prove necessary.

Many of the alien enemies affected by these plans are now performing functions which contribute directly to the success of our American war effort. The proper reestablishment of these dislocated aliens is important to certain types of labor supply and to the maintenance of our agricultural output. For these reasons it is in the interest of the United States that this operation be carried out with the smallest possible loss of human resources.

Sincerely yours,

Francis Biddle,
Attorney General.

Exhibit C.—Statement to the Personnel of the Social Security Board in the Area of the Western Command by Richard M. Neustadt, Regional Director

February 6, 1942.

Both by law and by Executive order of the President of the United States, the responsibility for the custody, surveillance and care of all alien enemies is vested in the Department of Justice. On January 31 the Attorney General assigned to Governor McNutt, in his dual capacity as Administrator of the Federal Security Agency and Director of the Office of Defense Health and Welfare Services, "the task of facilitating the transfer of alien enemies designated by me and to relocate and reestablish such aliens in appropriate places and appropriate activities." Governor McNutt in turn has called upon me to represent him in carrying out this responsibility in the area of the western command.

We have decided to utilize the offices of the United States Employment Service as the information and service centers for such alien enemies who will be forced to move out of the prohibited areas (also designated as A areas), either into restricted areas (also referred to as B areas) or in the unrestricted areas. After the 24th of February in California, and after such date as yet undetermined in other States, no alien enemy can either live or work or be in any prohibited or A areas (official lists of which will be forwarded shortly). At these offices alien enemies who need help in finding work or in relocating and sustaining their families will be accorded courteous and friendly treatment by the assigned representatives of the employment office and of the Division of Social Assistance who will be stationed therein. These representatives of the division of social assistance will be Federal employees, and will have the authority to requisition on me for whatever travel allowances or cash aid may be required, and it will be granted upon my certification to the San Francisco Disbursement Office of the United States Treasury Department.

The line of administrative authority will follow the regular channels of the United States Employment Service and of the division of social assistance being set up in this office. The division of social assistance is under the regional representative of the Bureau of Public Assistance and functions through specially designated representatives in the State and in the local offices. In addition to their regular functions, some offices of the United States Employment Service will be utilized as temporary offices of the local representatives of the division of social assistance. More detailed instruction will be issued through these administrative channels within the next few days.

Through initial and unfortunately premature and overly generalized publicity, it is probable that alien enemies or representatives of agencies interested in them will call at any of the offices of Old-Age and Survivors Insurance, United States Employment Service, or county-welfare departments. Pending clarification of the announcement which will direct such people to the proper local office of the United States Employment Service, you are asked to see to it that all such inquirers are given courteous treatment and referred to the nearest United States Employment Service office in which a representative of the division of social assistance will furnish them concrete advice. (List of these offices is attached.) It is highly important that these people be treated with dignity and with courtesy. They should be made to feel that while because of war it is necessary to move them out of the prohibited areas and to prevent their working therein, the United States Government wishes to help them avoid unnecessary hardships in such transfer.

No contact should be made locally with the Department of Justice or the western command.

Sincerely yours,

RICHARD M. NEUSTADT, *Regional Director.*

EXHIBIT D.—STATEMENT BY THE PRESIDENT OF THE UNITED STATES

JANUARY 2, 1942.

I am deeply concerned over the increasing number of reports of employers discharging workers who happen to be aliens or even foreign-born citizens. This is a very serious matter. It is one thing to safeguard American industry, and particularly defense industry, against sabotage; but it is very much another to throw out of work honest and loyal people who, except for the accident of birth, are sincerely patriotic.

Such a policy is as stupid as it is unjust, and on both counts it plays into the hands of the enemies of American democracy. By discharging loyal, efficient workers simply because they were born abroad or because they have "foreign-sounding" names or by refusing to employ such men and women, employers are engendering the very distrust and disunity on which our enemies are counting to defeat us.

Remember the Nazi technique: "Pit race against race, religion against religion, prejudice against prejudice. Divide and conquer."

We must not let that happen here. We must not forget what we are defending: Liberty, decency, justice. We cannot afford the economic waste of services of all loyal and patriotic citizens and noncitizens in defending our land and liberties.

I urge all private employers to adopt a sane policy regarding aliens and foreign-born citizens and to remember that the sons of the "foreigners" they discharged may be among those who fought and are fighting so valiantly at Pearl Harbor or in the Philippines.

There is no law providing against employment of aliens except in special defense work of a secret nature, and even in such work the employer may hire an alien with the permission of the Army or Navy, depending on the contract.

EXHIBIT E.—LETTER FROM HON. PAUL V. MCNUTT TO RICHARD NEUSTADT ASSIGNING RESPONSIBILITY OF COORDINATING AND PLANNING ACTIVITIES RELEVANT TO THE PROBLEMS OF EVACUATIONS ON THE WEST COAST

FEDERAL SECURITY AGENCY,
OFFICE OF THE ADMINISTRATOR,
Washington, February 4, 1942.

DEAR MR. NEUSTADT: The Department of Justice has requested the Federal Security Agency to assume responsibility for the resettlement of alien enemies from areas designated by that agency as prohibited areas. The following excerpts are quoted from the letter which I received from the Attorney General dated January 31, 1942.

"The Department of Justice is not itself equipped to resettle these alien enemies. Resettlement involves processes which are basically associated with the social services, including investigation of the needs and means of the aliens affected, helping them to obtain appropriate employment, and otherwise assisting those who are not able to resettle and reestablish themselves in other locations.

"The operating units of the Federal Security Agency already include many of the Federal services which are involved in such an undertaking. As Director of the Office of Defense Health and Welfare Services you have been designated to coordinate health and welfare services of all departments and agencies of the Federal Government, and of other agencies, public and private, to meet the needs of States and local communities arising from the defense program and to make available to States and localities the services of specialists to assist in the planning and execution of State and local programs in the fields of health, welfare, and related activities.

"I am therefore requesting you as Federal Security Administrator and as Director of Defense Health and Welfare Services, to undertake, on behalf of the Department of Justice the task of facilitating the transfer of alien enemies from areas designated by me and to relocate and reestablish such aliens in appropriate places and in appropriate activities. If you see fit to accept this responsibility on behalf of the Attorney General, you will of course call upon the services of other Federal agencies which can contribute to the effectiveness of this migration; my own Department stands ready to assist you with its services and authority in any operations which you find necessary in carrying forward this assignment. We will cooperate with you in making available the lists of names and addresses of the persons who are affected by the removal orders which I issue and any other appropriate information on file in the Federal Bureau of Investigation, the Alien Enemy Control Unit, the Immigration and Naturalization Serfice, or other branches of this Department. My agents in the field will similarly make available such information to your designated representatives."

In your capacity as Regional Director of the Office of Defense Health and Welfare Services I wish you to accept responsibility for the coordination and planning of all the necessary activities and services which will be involved in meeting this problem. This will include both the relationships with the various agencies of the Federal Government whose programs may be utilized in connection with the resettlement of these alien enemies, and the relationships with State and local agencies whose cooperation should be secured in carrying out this responsibility.

I wish you to assume this responsibility for the entire Ninth Corps Area, and I am advising Mr. Heber Harper of region XI accordingly. You will, of course, work closely with Mr. Harper in connection with problems involving States within his region.

I am sure that I need not point out to you the importance of our dealing with this matter on a basis which is both consistent with the needs of national security and with the principles of human welfare.

Sincerely yours,

Paul V. McNutt, *Administrator.*

Exhibit F.—Statement by Attorney General Francis Biddle Concerning the Employment of Aliens in Private Industry

December 28, 1941.

Two weeks ago the Department of Justice issued an appeal to State and local law-enforcement agencies and to the general public to help guard at home the freedoms our country is now fighting to defend by protecting the civil liberties of our loyal noncitizen population. There was a heartening response to this appeal—a minimum of hysteria and of the antagonism toward noncitizens as a class which marred our wartime record of 2 decades ago, and a willingness to leave to the qualified Federal authority the problem of dealing with whatever disloyal or treacherous elements, citizen and alien alike, which may still exist.

There still remains, however, a serious problem in adjusting our sights to our one great objective; it is the problem of discrimination against aliens in private employment.

No more short-sighted, wasteful or un-American policy could possibly be adopted at this time than that of barring noncitizens from legitimate private employment. In the first place, it is a most effective method of creating disunity, of breaking faith with people who have come to America as a haven of liberty and fair play. It is a complete disavowal of our American institutions, our freedoms, and the principles upon which our democracy was founded.

I am sorry to say that numerous instances have come to the attention of the Department of Justice of employers discharging workers because of some vague suspicion that they may be disloyal aliens, and even because they have foreign-sounding names. I should like to remind such employers that of our total noncitizen population of about 5,000,000, fewer than 3,000—6 out of 10,000—

have been regarded as dangerous to the peace and safety of the United States. Those have been taken into custody by the Federal authorities.

I should also like to point out to these employers that many of the "foreigners" they have discharged now have sons serving in our Army and Navy. Among those who died fighting off the treacherous attacks upon Manila and Pearl Harbor were men named Wagner and Petersen and Monzo and Rossini and Mueller and Rasmussen.

To bar aliens from employment is both short-sighted and wasteful. Our country needs the skills and services of every able-bodied and loyal person, citizen or alien, and to deprive it of such services is an economic waste and a stupid error.

There appears to be some confusion, in this connection, as to the policy of the Federal Government and as to the requirements of Federal statutes concerning the employment of aliens. As to the first, it is the stated policy of the Federal Government that there shall be no discrimination in the employment of workers in defense industries because of race, creed, color, or national origin.

As to the law, there is only one restriction: In the case of secret, confidential or restricted Government contracts, and in the case of contracts for aircraft parts or accessories the employer must secure permission from the head of the Federal Department concerned for the employment of aliens. The War and Navy Departments have established regular procedures for handling such applications and have passed upon thousands of them. It should be noted that the percentage of cases in which permission has not been granted to employ aliens even on such confidential work is negligible.

There are no other Federal laws restricting the employment of aliens by private employers in national defense industries, and there are no Federal laws whatsoever restricting the employment of foreign-born American citizens of any particular national origin.

There is no reason in the world why loyal persons, either aliens or Americans of foreign birth, should not be employed by American industry; and there is no possible justification for discharging such employees. The Federal Government condemns such discrimination and urges all employers not to adopt such a policy.

War threatens all civil rights; and although we have fought wars before, and our personal freedoms have survived, there have been periods of gross abuse, when hysteria and hate and fear ran high, and when minorities were unlawfully and cruelly abused. Every man who cares about freedom, about a government by law—and all freedom is based on fair administration of the law—must fight for it for the other man with whom he disagrees, for the right of the minority, for the chance for the underprivileged with the same passion of insistence as he claims for his own rights. If we care about democracy, we must care about it as a reality for others as well as for ourselves; yes, for aliens, for Germans, for Italians, for Japanese, for those who are with us as those who are against us: For the Bill of Rights protects not only American citizens but all human beings who live on our American soil, under our American flag. The rights of Anglo-Saxons, of Jews, of Catholics, of Negroes, of Slavs, Indians—all are alike before the law. And this we must remember and sustain—that is if we really love justice, and really hate the bayonet and the whip and the gun, and the whole Gestapo method as a way of handling human beings.

EXHIBIT G.—COMMUNICATIONS DEALING WITH JAPANESE PROBLEM

SAN FRANCISCO, *February 11, 1942.*

RICHARD NEUSTADT,
Social Security Board.

Following telegram just received: "Your letter February 7, 1942, addressed to Isaac Schlatter, chairman board of supervisors of this county has been called to our attention. This letter proposes to evacuate alien Japanese and citizen Japanese from Los Angeles area to Imperial county. Have had serious difficulties between Japanese and Filipinos in this county and situation serious some Japanese have been killed. Any evacuation of Japanese to this county would be serious and grave mistake at this time as it would only tend to aggravate the present tense situation. All Japanese aliens have been evacuated from Baja California Republic of Mexico to the State of Chihuahua. The Mexican officials much concerned over the possibility of more Japanese being brought into Imperial County California just across international border. As law-enforcement officers strenuously oppose the bringing of any more Japanese into this county and have also advised the board of supervisors such action would only tend to aggravate and multiply law enforcement problems. Considerable effort now being made to have the United States Government evacuate all alien Japanese from this county action proposed in letter would jeopardize this program. Elmer W. Heald, district attorney; R. W. Ware, sheriff, County of Imperial."

MARTHA A. CHICKERING,
Director State Department of Social Welfare.

LOS ANGELES, CALIF.
February 5, 1942.

Re Disposition of Japanese.

Hon. CULBERT L. OLSEN,
Governor of California, Sacramento, Calif.

DEAR SIR: Just a suggestion which might be helpful in the matter of locating the Japs in a safe and perhaps a helpful place.

There is a considerable body of desert land that could be watered and leveled cheaply in the eastern part of Imperial County, beginning north and east of the Southern Pacific station Knob and extending west to the sand hills and south to the All-American Canal, all of which is Government land, except a portion of one township owned by private citizens, who, no doubt, would be willing to let the Government use it for the duration. I have 160 acres of this township and would be willing to let the Government use it for the duration without rent. I feel sure the other owners would do the same. My land lies across Highway 80, 12 miles west of Yuma, just east of Springers Service Station.

With plenty of cheap electricity generated at nearby dams, there could be a pumping plant installed at the nearest point on the canal to the northeast, or highest corner, of this land. The cost would not be great, the land is almost level, hence little cost to prepare for irrigation. Of course, the Japs would do the work.

Also west of the sand hills there is much more land that could be put into cultivation; while it is not so level, the water lift would be less.

This seems like a good way to develop our desert and a good place for the Japs, Germs, etc.

Respectfully submitted,

HUGH M. GALLAGHER.

LOS ANGELES, CALIF.,
February 7, 1942.

FEDERAL SECURITY AGENCY,
Washington, D. C.

GENTLEMEN: I though you might be interested in knowing good location where the aliens would not be mixed with other people and where the land and water could be supplied at a small cost. This land mentioned is all desert, very nearly level, and the water cost would not be great, it being so near to the All-American Canal. (See copy of letter enclosed.)

The people of the West, the ones that have given this matter any serious thought, know that Japan began sending its people to this coast and other Pacific lands to act in this, present, long planned for crisis, they come with instructions not only to be loyal to Japan but to rear their children to be loyal; they send them to the hundreds of Jap schools scattered throughout the Pacific coast (one two blocks from me), and we know what they are taught. If you are sent to Japan to work and you had children born there, would you expect them to be loyal to Japan? No; absolutely no. Neither can we expect a Jap to be loyal to the white race that he has eternally, for generations, been taught to despise. Nope, just because a Jap is born here does not make him white, loyal, trustworthy, or even a citizen in the true sense of the meaning.

The people of the West know that if and when the Japs attack us that all these Japs will turn on us and with the knowledge they have gained all these years will be put to a great advantage. They are so bold that they even write letters to authorities asking for detail information of our water system, location of dams, and all details. Also of the detail of many other things, such as gasoline refineries, location, amounts, and, so on, too much to give in a letter. I might mention that Japs are employed in our power system, water works, in fact about every political branch of our Government. I have a son taking a flying course at Phoenix, Ariz., and there is a Jap servicing planes, Sky Harbor Airport. Fortunately for the Jap, he does not service the planes in my boy's class, but somebody's boy, some one's son, has to fly a plane that a Japanese American citizen is servicing. It only takes a drop of acid, a loose nut, or a little sugar to destroy life and plane.

America should wake up.

Respectfully yours,

HUGH M. GALLAHER.

FEDERAL SECURITY AGENCY,
SOCIAL SECURITY BOARD,
Washington, February 17, 1942.

Mr. HUGH M. GALLAHER,
Los Angeles, Calif.

DEAR MR. GALLAHER: Your letter of the 7th, addressed to the Federal Security Agency in Washington, enclosing a copy of your letter of the 5th to Governor Olson, has been referred to me.

As you know, the responsibility for the care, surveillance and, custody of enemy aliens is vested exclusively in the United States Department of Justice. They have established certain specific areas from which such people are prohibited. Furthermore, the Department of Justice has asked this agency to aid such families in the actual process of resettling outside of the prohibited areas. We are doing this through the facilities of the United States Employment Service and other Bureaus of this Agency on an individual basis. We hope to be of such help that all the families that must move at this time, under the orders of the Department of Justice, will have so moved without undue hardship by the effective date of the order, which in most instances is February 24.

If the need develops for handling these people on a mass basis involving the use of large acreage, I shall be very glad to see to it that your proposal is given consideration.

Sincerely yours,

RICHARD M. NEUSTADT,
Regional Director.

CUTLER, CALIF., *February 19, 1942.*

RICHARD M. NEUSTADT,
Office of Defense, Health, and Welfare Services,
Social Security Bureau, San Francisco, Calif.

We the citizens' committee of Orosi Township, after a discussion held last night, demand that some action be taken at once regarding the Japanese situation in this vicinity. Further, we demand that all Japanese that are now here and those that are being moved in here be removed not only for our safety but also for their safety. We fear that unless immediate action is taken the situation may get out of hand. Urgent action must be taken.

OROSI CITIZENS' COMMITTEE,
WENDELL G. TRAVIOLI, *Chairman.*

SAN FRANCISCO, CALIF.,
February 19, 1942.

Mr. WENDELL G. TRAVIOLI,
Chairman, Orosi Citizens' Committee,
Orosi, Calif.

Reurtel 19th, please be advised that Department of Justice is vested exclusively with authority to handle all problems pertaining to alien enemies. It is their exclusive duty to determine what areas these poeple will be prohibited from living and working in, and they do so at the request of the United States Army and Navy. At request of Department of Justice, this Agency is facilitating removal of these aliens and their families from prohibited areas to those called restricted areas or free areas. General De Witt, commanding western command, has reported to the Attorney General the following which has been decreed by Attorney General: "That restricted areas, or B areas, are those areas through which or in which alien enemies may be permitted on pass or permit." May I remind you further that these people are entitled to full protection of law as long as they are outside of the prohibited areas and obey the regulations of the Department of Justice. Are you fully conscious of the fact that the alien enemy regulations affect the Italians and Germans as well as Japanese. These matters must be left to the Federal Government, and it is the duty of all Americans and all local law enforcement agencies to observe the law and keep the peace. If you desire to testify before the congressional committee Saturday at their meeting here, they certainly will be glad to hear from you.

Richard M. Neustadt.

Exhibit H.—Some Employment Possibilities for Japanese

INTEROFFICE COMMUNICATION TO RICHARD M. NEUSTADT, REGIONAL DIRECTOR, FEDERAL SECURITY AGENCY, SOCIAL SECURITY BOARD, FROM JAMES G. BRYANT, REGIONAL REPRESENTATIVE

March 12, 1942.

FARM LABOR DEMAND FOR JAPANESE EVACUEES

The Amalgamated Sugar Co., with headquarters in Ogden, Utah, with sugar refineries in Nyssa, Oreg., and a new plant being built in Nampa, Idaho, expect to have under contract 30,000 acres of sugar beets in the Boise Valley, with the total labor requirement of 3,000 workers needed, beginning work about May 1, and 25,000 acres of sugar beets at Twin Falls, total requirement of 2,500 workers. Mr. Benning, general manager, indicates that in these two operations his company could use 1,600 Japanese.

Housing.—There are 4 Civilian Conservation Corps camps, approximately 200-man capacity, located in Harper, Vale, Nyssa, and Ontario, and 2 other usable Civilian Conservation Corps camps at Rupert and Malta.

There are also two large permanent Farm Security Administration camps at Caldwell and Twin Falls, Idaho. Mobile Farm Security Administration camps also operate in the area.

The Amalgamated Sugar Co. has company camps at Nyssa, Oreg., and Twin Falls and Paul, Idaho. These camps would accommodate 90 single workers and the company has recently purchased 50 additional tents.

Season of employment.—The blocking and thinning operation will last from 6 weeks to 2 months, followed by hoeing and irrigation operations, and then the harvest during October and November.

The area in which the sugar-beet acreage occurs grows a wide variety of other crops requiring labor so that it is practicable to conclude that workers arriving in this area in the spring could be employed throughout the entire summer season.

OTHER SUGAR-BEET COMPANIES

The other sugar companies operating in the area of the western command will likely need Japanese labor, if it can be made available, as follows:

Great Western Sugar Company—operations in Colorado, Nebraska, Wyoming, and Montana; 250,000 acres sugar beets, using 25,000 workers.

Spreckles Sugar Co.—California, 100,000 acres sugar beets, using 10,000 workers.

American Crystal—California, western Montana, and Colorado; 50,000 acres sugar beets, using 5,000 workers.

Holly—California, Colorado, Wyoming, and Montana; 75,000 acres sugar beets, using 7,500 workers.

Utah-Idaho—Utah, Idaho, and Montana; 100,000 acres sugar beets, using 10,000 workers.

The above are rough estimates, indicative of acreages and labor requirements.

I have been personally contacted by Spreckles and Great Western, evidencing their interest in the use of Japanese help this year.

Mr. Benning, of Amalgamated Sugar Co., tells me that a definite statement by the Army and the United States Employment Service, indicating that Japanese workers will be made available for sugar-beet operations, will definitely result in an increased planting of sugar beets and consequential production of sugar in the area of the western command.

Mr. Robert K. Malcolm, Dixon, Calif., whose farming interests are located on Liberty Island in the Sacramento Valley, and who at present has his land leased to 4 Japanese families, comprising 20 people, and farming 800 acres devoted to asparagus, onions, tomatoes, and corn, is anxious to continue the use of these farm families and could use 15 Japanese men at once and would need 50 more within 3 or 4 weeks. The operations have formerly been handled by Japanese and Filipinos. Wages set for cutting pay $1.50 for 100 pounds but will pay whatever is the going wage, probably 45 cents an hour. Housing: Mr. Malcolm has housing for the number of workers indicated and could probably accommodate several more families with his present housing. He is concerned particularly in determining whether or not he can arrange to keep the present farm families as tenants and whether or not he can use Japanese help during the current asparagus harvest.

The B. E. Maling Co. at Hillsboro, Oreg., have under contract 1,000 acres of strawberries, owned and operated by Japanese in Washington County, in Oregon, in prohibited area zone 1–A. The company has advanced considerable funds for growing the strawberries and have chattel mortgages on the crop. Harvest of the crop will occur during June.

Mr. Henderson, manager for the Maling Co., is interested in knowing whether or not the Japanese will be permitted to remain on their land until the crop is harvested, and whether or not it will be possible to use Japanese labor of the vicinity in which the harvest operates.

Mr. Joe Brooks, representing California Asparagus Growers, Walnut Grove, Calif., represents the interest of his association in using Japanese labor during the asparagus harvest and has suggested the use of 81 cabins used by Libby, McNeill & Libby on the site of an old cannery along the Sacramento River near Ryder.

If the Japanese can be used in the asparagus harvest in the vicinity of Stockton, Mr. Brooks will be glad to take up the matter of such control measures as might be required by the Army in the assignment and use of these workers through the United States Employment Service.

The Jesse Valley Peat Products Co. at Likely, Calif., have indicated that they would like to use a crew of about 50 Japanese workers. They indicate they have an ideal place as the peat moss beds or deposit are about 20 miles from the nearest town, in an isolated type of area.

Mr. Henderson, representative potato grower, of Klamath Falls, Oreg., suggests the use of Japanese labor in the potato and sugar-beet harvest for October and November.

Mr. Lloyd Hughes, Yakima, Wash., indicates the willingness of the hop growers to use Japanese labor during the spring training and fall harvest of hops in the Yakima Valley. Adequate housing, is available. Mr. Hughes also indicates that, if labor was available, he would be willing to lease land to Japanese to grow tomatoes and hire them to do the work, if the Government wants the tomatoes.

The above illustrations are typical of many inquiries that have been coming to the Farm Placement Service since the possibility of evacuation of Japanese has become public information.

Many of these large growers have indicated that they would be glad to appear before the Army and present definite detailed propositions for employment and housing of the Japanese labor if this labor is available for seasonal agricultural work.

TESTIMONY OF RICHARD H. NEUSTADT—Resumed

Mr. Arnold. What agencies, local, State, or national, are rendering welfare services in the evacuating of aliens?

Mr. Neustadt. There are no local agencies that I know of that are playing any part in it. The State Welfare Department has loaned to us about 20 of their workers. The county welfare departments in three cases have loaned us staff services. We are taking those social workers and assigning them to the employment offices. People come in to register for work, to file unemployment compensation claims, and to seek information, advice, and assistance. In the case of the State department, due to State law we have had to take that staff over on the Federal pay roll. The Farm Security Administration has helped materially. The C. C. C. and the other Federal agencies having facilities have helped us examine those facilities to determine whether they could be used for this purpose.

We have endeavored not to have any mass evacuation, insofar as possible under the present rules of the Department of Justice. We have sought from the State as a possible last resort, if we needed it, the right to use the barracks of what was formerly the S. R. A., the State Relief Administration, now under the control of the State Department of Finance.

But because of this new order of the President we are abandoning any idea of using such large-scale camps.

UNEMPLOYMENT COMPENSATION PAYMENTS TO EVACUEES

Mr. Arnold. Is the Social Security Board permitting the payment of unemployment compensation to unemployed aliens who are otherwise eligible for benefits?

Mr. Neustadt. Most certainly.

Mr. Arnold. Is it discretionary with the State to make such payments?

Mr. Neustadt. I wouldn't think so under the standards of the Social Security Act. They would have to pay them to all alike.

Mr. Arnold. What is the situation regarding other social-security benefits?

Mr. Neustadt. They may receive any benefits to which they are entitled under the law. The unemployment compensation is the one that would affect the most. When you come to public assistance grants, of course that varies State by State. In California, for example, the Old Age Assistance Act of California, or the Old Age Security Act, as they call it, bars any grants to anybody but citizens. In the dependent children grant that is not true, but unfortunately in this State their law bars or narrows the definition of the right to grant benefits to children except for clear cases of half-orphans, and their interpretation of that is much narrower. They will not give grants to a family, for example, if the location of the man is known. Therefore, it is doubtful whether they could give under their State law grants to these cases even if the man were interned. We could give grants out of this particular new Federal fund, or this temporary Federal fund, of course.

Mr. Arnold. It is true, of course, that all aliens are at the present time barred from W. P. A. employment. Do you know whether American citizens, naturalized or born of parents who are aliens, encounter special difficulties in obtaining W. P. A. work?

Mr. Neustadt. I never heard of any.

Mr. Arnold. We have heard numerous reports that citizens in various parts of the State have threatened to take matters into their own hands if the State or National Government does not act. What is your opinion of this situation?

NEED FOR PROMPT FEDERAL ACTION

Mr. Neustadt. There have been certain direct instances, all of which I have turned over to the attorney general, Mr. Earl Warren, and he is looking into them. We hear a good many others that are rumors. We have never been able to track them down. We have had two or three direct, straightforward statements giving names and instances, and those have been forwarded to the attorney general promptly and he has taken action.

I think a great many of the rumors are well founded and that there would be a great deal of this local trouble——

Mr. Arnold. If the Federal Government does not act promptly?

Mr. Neustadt. That's right. If we don't get a thoroughly considered and accepted plan. It must be thoroughly considered, thoroughly accepted, and thoroughly respected, and the average individual or the local law-enforcement officer must somehow be induced to accept the responsibility as that of the Federal Government and not take the law into his own hands.

Mr. Arnold. Apparently the President's Executive order of yesterday places full control over the evacuation problem in the hands of the War Department. Do you know what measures the War Department expects to use in the evacuation of citizens and aliens?

Mr. Neustadt. No, sir.

Mr. Arnold. Do you know whether the War Department plans to call on the Federal Security Agency to assist in the evacuation?

Mr. Neustadt. No, sir.

Mr. Arnold. That is, you don't know?

Mr. Neustadt. I don't know.

The Chairman. We are going to ask General DeWitt this afternoon about that.

Mr. Neustadt. That is fine. He has promised to let me know.

Mr. Arnold. Has there been any discussion of the type of work which the people evacuated will do in their new locations? If so, would you tell us in some detail of these discussions?

EMPLOYMENT OF ALIENS

Mr. Neustadt. There has been a great deal of discussion. There are somewhere between nine and ten thousand enemy aliens involved in or living in the present prohibited areas. We have seen about 6,500 of them, that is, up to the day before yesterday—I don't know of yesterday's count—so that I think by the 23d or the 24th we will have seen practically all of them. There is a great deal of discussion in California which assumes that these people are primarily agricultural workers. That is an incorrect assumption. I have no statistics but we do know that a great many of these people are not agricultural workers.

If you think of the Italians, they are primarily vineyardists and fishermen. While they undoubtedly as a people know and love the land, they are not agricultural workers by most recent, long-time employment.

With respect to the Japanese, I again cannot give you the figures. A great many of them are on the land, but there are also a great many urban people following the usual vocations in the city.

Of course, the Germans involved are for the most part clerical and professional people; very few agriculturalists.

We have had a good many proposals made to us by large-scale agricultural companies of their need for alien enemies to work on their land. The total, I think, runs to 22,000. That is the number they say they want. But that is for short-time occupation, several months, perhaps, and it does not start now. The only crop that is up now is asparagus. They will take enemy aliens there and several of them are now being placed.

The canneries undoubtedly will take a great many of them during the canning season. In fact, the picture is one of both wanting their cake and wanting to eat it too. The same people who are protesting and demanding that all these people be driven out of the State also want all of them to work in the fields and in the canneries. They will talk to you about the agricultural shortage. At the same time they will talk to you about driving all these people out of the State.

Mr. ARNOLD. What Federal agencies are best equipped to handle the evacuation of aliens and citizens?

Mr. NEUSTADT. In vast numbers?

Mr. ARNOLD. Yes.

Mr. NEUSTADT. None.

Mr. ARNOLD. No Federal agencies are equipped?

Mr. NEUSTADT. At this time? No. You could theoretically work it out with the Farm Security.

Mr. ARNOLD. Farm Security might be better?

HOUSING PROBLEMS

Mr. NEUSTADT. But it wouldn't mean anything. The problem of housing would have to be faced and faced realistically. None of the camps are big enough now to handle it. Certainly none have staff big enough to handle it. Farm Security has had more knowledge and experience than anyone else. Of course, the C. C. C. has had a great deal of experience. But when you think of where their camps are and the fact that they are set up only for boys, not for families, the problem is aggravated.

We have had the authority from Washington to open up Indian schools in Oklahoma, but they would require certainly a new set-up, a new staff, and they are not built for this purpose. Nor would you want, I assume, to have these people kept in utter idleness. In addition to housing, you have to think of work opportunities.

Mr. ARNOLD. Then it is your considered opinion that no Federal agency is now equipped to handle the problem. Apparently some Federal agency or agencies will have to become equipped speedily?

Mr. NEUSTADT. Well, I want to say this. I can't speak for all the Federal agencies, but from my knowledge of them they could improvise a sketchy, inadequate form of handling these people. It would be done kindly but not well. A combination of such agencies or even any one that you selected, especially if authorized to handle it and given additional finance to handle it, certainly could get itself in shape to do so. The task is not an impossible one, but it has to be defined in clear-cut lines and it has to be thought through. I am begging for the "thought through" process.

FEW RESTRICTIONS ON EMPLOYMENT OF EVACUEES

Mr. ARNOLD. What types of work do you think these evacuees should be employed in?

Mr. NEUSTADT. Any kind of work that they can do, and that runs the whole gamut. The only prohibition on the use of alien enemies in plants now is in parts of plants using confidential information and in airplane factories. The President has issued a proclamation asking all employers, even those on defense work not involving secret or confidential plans, to employ them. And that should be carried out. They can work anywhere.

Mr. ARNOLD. In their present skills?

Mr. NEUSTADT. In their present skills. Now, you do catch, of course, a very unfortunate group of Italian fishermen. Their skill is fishing. They are not so young. Whether they could be retrained is a question. There is much doubt in my mind. Obviously, if you take the prohibited area away from them, there "ain't no place to fish."

Mr. ARNOLD. Should evacuation be wholesale, or should a flexible policy be established by which exceptions could be made of enemy aliens or citizens whose loyalty the Army or Navy or other officials will vouch for?

Mr. NEUSTADT. I have a fairly definite answer to that as a recommendation. Would you mind my reading it?

Mr. ARNOLD. I would be glad to have you read it.

SUGGESTS A "SURGICAL" EVACUATION

Mr. NEUSTADT. I would say, if you are talking in large numbers, larger than this 10,000 that you would have to have a mass evacuation. May I say that the most unfortunate part of this whole thing is the uncertainty that has been bred in the minds of those people who are going to be evacuated. The kindest thing you could do would be "surgical." Make up your mind that you are going to evacuate these people and evacuate them, then start over again. You cannot expect people to keep their poise, to put it mildly, if they are ordered to move out of one area into another today, and then fear that tomorrow they are going to have to move again. Nor can they afford to do it. So that I say, let's think clean and cut clean. I plead for surgery.

More in answer to your question, may I say that the declaration of areas should take into full consideration the possibility of effective portions of the population finding other residences as well as other work. I want to emphasize that. You have a housing problem on your hands anywhere in California or in the West, and I don't doubt in the East, too.

Whenever possible, and where no other resources are available, public housing on as decent a scale as possible should be provided.

ALIENS WHO SHOULD NOT BE EVACUATED

Some legal way should be found to narrow the classification of enemy aliens so as to eliminate, if possible, these groups:

(*a*) Those known by Federal authorities to have come to this country because our enemy countries have canceled their citizenship but who have not been here long enough to acquire American citizenship. There are a great many such, primarily perhaps among the Germans, the refugees from Hitler, but also among other races as well.

(*b*) Those who because of circumstances of long residence in this country, age, infirmity, having sons in the armed forces or otherwise, satisfy Federal investigators as to their loyalty to the United States.

(*c*) Those who are elderly or mature individuals, such as a wife or a mother, where all of the other members of the family are citizens and where there is clear record that failure to obtain citizenship is caused by reasons other than disloyalty to this country or loyalty to other countries with which we are at war.

I do not want to cite individual cases unless you are interested in them, but the hardships over and above the economic hardships of moving that are caused by disruption of family life could catch any sob sister's interest, if you want them. I don't want to put this on the sentimental side, but what we are doing by a mass evacuation is catching a great many innocents as well as any who might be subjected to suspicion. And I plead against that as an individual American citizen. Certainly some scheme should be improvised so that those who are obviously by record known to be not only innocent but incapable of harm, because of age or infirmity or other reasons, should be exempt.

I certainly think that we can give you instances of an old Italian family, or others as well, with sons in the Army. What you are doing is moving the mother. That isn't what you intended or the President intended or the Attorney General intended, and I don't think it is what the Army will intend.

Mr. ARNOLD. What would you say with respect to the Japanese?

Mr. NEUSTADT. I would say the same thing as far as I know, but I am not a detective or law-enforcement officer. Personally I feel the same way about the Japanese as I feel toward anybody else. They are obviously subject to more suspicion because the war, on this coast at least, is with Japan. Also because the Japanese, not being entitled to citizenship in California or the rest of the country, are subject to suspicion. Also because there is, unfortunately, a race prejudice against the Japanese that has been long existent. But there are cases of Japanese families in which the one you are moving is the mother, and the son is in the Army.

Mr. ARNOLD. That is all I have. If you have further material that you wish to insert in our record it will remain open for 10 days or 2 weeks and you may have that opportunity.

Mr. NEUSTADT. I have, I think, given everything I have that exists in the form of a report.

The CHAIRMAN. Mr. Neustadt, my reaction to the testimony that I have heard this morning is not very favorable. I think there is a deplorable situation on the Pacific coast here regarding evacuation and I think Congress is going to know about it in our report.

Mr. NEUSTADT. Surely.

The CHAIRMAN. But we can't pin any blame onto any particular agency. It has come upon us all at once, but that shouldn't stop us now preparing and doing something about it.

Mr. NEUSTADT. That is correct.

The CHAIRMAN. It is possible that the entire Pacific coast may be evacuated. They tell me back in Washington that it is not only possible but probable that the Pacific coast will be bombed. That has come to me from men who are supposed to know. So the evacuation may run into hundreds of thousands of people.

Mr. NEUSTADT. That is right.

TASK TOO GREAT FOR SINGLE FEDERAL AGENCY

The Chairman. The first thing we should have—and I am surprised that we haven't it as yet—is a regional office for the Alien Property Custodian. That should be done first.

Mr. Neustadt. That is one of the most deplorable features of it.

The Chairman. Do you think that the Social Security alone, if given the money, could handle the evacuation; that is, taking care of these people?

Mr. Neustadt. No; I do not. I am grateful for the fact that the Army is going to handle it.

The Chairman. Now, the Army is interested primarily in the national defense.

Mr. Neustadt. That's right. That is, primarily.

The Chairman. And the Army is in no position to go into these hardship cases, so far as that is concerned, to see where they should go. They have got to get them out of here, and they have got to get them out in a hurry.

Mr. Neustadt. That's right.

The Chairman. But the thought occurred to me—you gave a hint of it—that a combination of agencies, the Farm Security, the Department of Agriculture, your agency, might be the solution. Then if we have a man like you at the head of it, or some control at the head of it, I think it could be attended to.

Mr. Neustadt. Thank you very much for that, Congressman. May I say this? As far as the combination of Federal agencies is concerned, there is through the Office of Defense Health and Welfare Services, which is an office set up by the President with Governor McNutt as the director, a coordination of some 32 Federal departments having anything to do with health, welfare, education, nutrition, and recreation.

Out on the coast here we have a very fine coordinating council of those 32 agencies. I am the chairman. I don't know that you need any more legal coordination than you already have.

What I was saying was in no way a criticism of anybody. If you are going to have such a mass evacuation, and only the Army can know how large that should be and what areas it should be and should direct that, then I would plead that that be done surgically and those people be removed to a prepared camp. Right away. Under Army supervision, plus any civilian supervision they desire. And then we can begin to go back and let out those people who can prove their loyalty.

The Chairman. Mr. Neustadt, from the Mississippi on west you know our country about as well as anyone I personally know. Where are these people going to go?

NOBODY WANTS EVACUEES

Mr. Neustadt. That has haunted me night and day, sir. I have seen resolutions of the governors, the chambers of commerce, and all the hospitality centers west of the Rocky Mountain States. They don't want them either.

May I say that all they are talking about is Japanese. We have had telegrams from all the towns in California protesting. One of them bothered me a bit because the signer had a very Italian-sounding name. He demanded that all those of Japanese origin, the citizens and aliens, should be evacuated. I don't think he realized that if this were done governmentally, he also might join the evacuees.

The CHAIRMAN. You can't put them in Nevada, you can't put them in Arizona very well. You haven't the housing.

Mr. NEUSTADT. No, sir.

The CHAIRMAN. And you haven't the soil.

Mr. NEUSTADT. No, sir.

The CHAIRMAN. All right. Supposing you picked out Nebraska, just as a hypothetical case, and Nebraska didn't want them?

Mr. NEUSTADT. I think what you have to do is to face it. If you are going to have mass evacuation of a hundred thousand or more, prepare camps for them and put them there. Have as fine a camp as you can and under regular Army routine and discipline. And set up your courts and, as you get jobs for them, let them come back. The Employment Service, although the shortage of labor is very real in our defense plants, could not take these people and put them in in a week's time with all the uncertainties there are. And they have got to go Tuesday. Ten thousand. And whenever the Army speaks it will be "that" Tuesday. We are not equipped to do that. All the Federal Government agencies and civilian agencies that I know of are set up, planned, and directed to work on the basis of individuals. But when you are talking in terms of a hundred thousand, you had better plan that and do it and then go back on the individual basis.

The CHAIRMAN. Yes; Mr. Neustadt.

Mr. NEUSTADT. None of these States will object, by the way, I am sure, to a camp supervised by the Army.

FIRST EVACUATION ORDER

The CHAIRMAN. The evacuation order goes into effect on Tuesday; does it not?

Mr. NEUSTADT. Yes; the 24th.

The CHAIRMAN. There will be about 10,000 evacuated; is that right?

Mr. NEUSTADT. I can't tell you exactly how many. The first date was the 15th, and they will all be out of those prohibited areas on the 24th.

The CHAIRMAN. All right. The responsibility of the Army is to get them out of the areas?

Mr. NEUSTADT. That is the responsibility of the Department of Justice.

The CHAIRMAN. Oh, they get them out?

Mr. NEUSTADT. We facilitate. We were asked on behalf of the Department of Justice to facilitate the removal. We are just a service agency. We have done the interviewing of these people. We have done the advising of where they cannot be and where they can be. We have at the request of the Department of Justice issued travel permits and we know they will be gone. We don't expect to find very many in the prohibited areas. There may be a few who can't find housing.

The CHAIRMAN. So the mechanics are simply this. The Army fixed the strategic areas?

Mr. NEUSTADT. The Army asked the Department of Justice to decide on the areas up until the time the new order becomes effective. The Department of Justice decrees those areas. Now, of course, in the new order of the President that is all swept away and the Army decrees.

Mr. ARNOLD. Let me ask, they don't need to move any further than the border line of the prohibited area; is that correct?

Mr. NEUSTADT. As far as the law goes, General DeWitt himself has issued a letter saying that they may go anywhere outside the prohibited area. They are doubling up with their relatives and friends. Certainly, that is all they can do. That is all we could have done in the same circumstances.

The CHAIRMAN. Supposing you haven't got relatives or friends?

Mr. NEUSTADT. Well, we have had all kinds of help from all kinds of agencies trying to dig out places they could rent. The difficulty of that is the fact that the particular areas, like the East Bay from Pittsburg right straight down to Alameda, include all the low-cost housing area in the prohibited zone. I am still afraid that there will be some people wanting to move on the 23d for whom no housing will actually be available.

The CHAIRMAN. Is there anything else you desire to add, Mr. Neustadt?

IMMEDIATE NEED FOR PROPERTY CUSTODIAN

Mr. NEUSTADT. I would like to plead again, if there is any way by law, that some way be found to have a custodian of property right now, and not wait for the appointment of any custodian. There must be some way whereby Congress could designate Federal Reserve banks or someone else to be custodian of these small properties. It should have been done 2 weeks ago.

The CHAIRMAN. I understand that jurisdiction lies within the Treasury Department.

Mr. NEUSTADT. Well, I don't know.

The CHAIRMAN. We phoned to Washington yesterday.

Mr. NEUSTADT. We cannot make up the loss, and it is not only the loss to the small individual shopkeeper or rancher, but it is the loss to the crops. I am sure Mr. Thompson of the Department of Agriculture will tell you that a great many of the crops that are badly needed for lend-lease and for victory have already been planted, and there is involved a serious loss because of a fear and uncertainty of what is going to happen. I know you know that situation.

The CHAIRMAN. We had hardly arrived here, Mr. Neustadt, when we were impressed with the absence of any agency or official who could take care of alien property. So we immediately phoned to Washington and we probably will have more information today. But that must be attended to, even before we turn in our report, if possible.

Mr. NEUSTADT. Certainly. You might be interested in this summary of the people who have not been able to completely help themselves. Of the 6,500 who have come in, 4,100 have sat down long enough to tell us their problems and how they are solving them themselves. The others just came in and got information and they have gone on their way.

Of these families 2,300 had already moved or found their own homes; 1,300 others said they could find housing for themselves; 500 must be helped to find homes. This was a report as of Thursday. Of these, at least 100 will have to be given some emergency care. I might add there that agencies like the Friends Service Committee, the Quakers, Japanese-American Citizens League, German societies and Italian societies are all pitching in to help on that emergency care type of thing.

You might also be interested in one or two stories, if you so desire. I don't know whether you do or not and I don't want to indulge in them if you don't wish them.

The Chairman. Go right ahead.

Mr. Neustadt. We engaged Mr. Ottorino Ronchi, former professor of Italian at the University of California, and editor of La Voce del Popolo, for the specific purpose of going around to the Italian groups, particularly in the Pittsburg-Vallejo area, both of which are prohibited now, and down to the Monterey-Santa Cruz area where the fishing groups are. Mr. Ronchi was engaged to go down and circulate among the Italian people, who are not very well organized among themselves and do not read the American press or listen to the radio and very often don't even read their own press, just to see if they knew that they had to move. Mr. Ronchi would be glad, I am sure, to give you one or two instances.

TESTIMONY OF OTTORINO RONCHI, FORMER PROFESSOR OF ITALIAN AT UNIVERSITY OF CALIFORNIA AND FORMER EDITOR OF LA VOCE DEL POPOLO, SAN FRANCISCO, CALIF.

Mr. Ronchi. I just got back from Monterey. In Monterey the situation is very drastic. They are all fishermen, oh, from 100 to 175, and have to leave. So I interviewed many people. Among them I interviewed a woman about 60 years old. She was a widow. Her son was killed at Pearl Harbor and the next day the other son enlisted.

Now she is alone. She is not an American citizen. She has no property and she will have to go away from Monterey. So I asked her about how she felt.

"Well," she said, "I wish I had a couple of more children. I will send them to fight. My interest is in America."

There is another case of a young woman, about 25 or 26, I think, married to a soldier. She has two children. They have to move. And those people, they have no money, they have no place to go. We try at the employment office. Its staff works very hard. They are very human, they try very hard, and they have tried to find work for the evacuees in Salinas, Santa Clara Valley, but with little success.

In Pittsburg you find very many families where they have one or two sons in the Army and they have to move. Also in Monterey, the Government took the boats of the fishermen. And now they have no money, they have not been able to fish and they could not do anything else; only fishing, you know. They try to find jobs. They try to go ahead in that. But I think the next 2 or 3 months they will have a tragic situation. They will not know what to do, and the different counties of the State and Federal Government will have to support them and there will be a tremendous disruption of life.

Suppose you have a mother who is not an American citizen, the father is a citizen and the children are American citizens. The mother will have to go away and leave the father there, or vice versa, you see. So something must be done for those people there.

You see, I must have talked with more than 1,000 people, you know, from Martinez down to Monterey. They have no American citizenship in their pockets, but America is in their hearts.

The CHAIRMAN. You have to think along a little bit further in the future. Some day this war is going to be over. You say that this Italian mother had one son killed at Pearl Harbor?

Mr. RONCHI. Yes.

The CHAIRMAN. One son killed at Pearl Harbor, another son enlisted.

Mr. RONCHI. Right away. Volunteered.

The CHAIRMAN. But when the future comes I don't know how that enlisted boy will feel if his mother doesn't have some sort of care.

Mr. NEUSTADT. That's right.

Mr. RONCHI. That's human. That's the human side of the question.

TESTIMONY OF RICHARD H. NEUSTADT—Resumed

Mr. NEUSTADT. I don't think any of us think of that mother as an alien enemy. I think that is a point to make. One can't question the loyalty of the son, but I also want to point out that one can't question the loyalty of that mother.

Mr. SPARKMAN. Under the terms of the Executive order of yesterday do you understand that the military commander would have the right to give her leave to work?

Mr. NEUSTADT. He would have complete right to do anything he likes. He could make exceptions or not, as he saw fit.

Mr. SPARKMAN. Don't you assume that cases such as these outstanding hardship cases will be dealt with?

Mr. NEUSTADT. I certainly would gladly assume so, but I thought one way of helping that assumption is just to say it to you. That's all.

The CHAIRMAN. And your point is also that there should be some agency on top of that problem now?

Mr. NEUSTADT. And it should be the Army.

The CHAIRMAN. And it should be the Army. Thank you very much, gentlemen. We appreciate your coming here.

The committee will stand adjourned until 2 o'clock this afternoon.

(Whereupon, at 12:15 p. m. the committee recessed until 2 p. m.)

NATIONAL DEFENSE MIGRATION

SATURDAY, FEBRUARY 21, 1942

AFTERNOON SESSION

House of Representatives,
Select Committee Investigating
National Defense Migration,
Washington, D. C.

The committee met at 2 p. m. in the Post Office Building, San Francisco, Calif., Hon. John H. Tolan (chairman) presiding.

Present were Representatives John H. Tolan (chairman), of California; Laurence F. Arnold, of Illinois; and John J. Sparkman, of Alabama.

Also present: Dr. Robert K. Lamb, staff director; John W. Abbott, chief field investigator; Leonard A. Thomas, counsel; and F. P. Weber, economist.

The Chairman. The committee will please come to order.

Mr. Sparkman, I understood you had something to offer for the record.

Mr. Sparkman. Mr. Chairman, I thought it might be well for the sake of the record to insert a copy of the President's Executive order. We have referred to it quite frequently this morning. Here is a reprint of it taken from today's paper and I would like to offer that at this time to be inserted in the record.

The Chairman. Do you want to read it?

Mr. Sparkman. Well, I don't believe I will take the time to read it, but I would like to call attention to the fact, since something was said about it this morning, that the Executive order that the President issued yesterday provides that the Secretary of War in removing any of these people shall furnish transportation, food, shelter, and other accommodations that may be necessary. Furthermore, it provides, I believe [examining Executive order] that he can call upon any of the other executive departments, independent establishments, and Federal agencies to assist the Secretary of War and the military commanders in carrying out the provisions of the Executive order.

Another thing I think might be of interest. Mr. Neustadt was telling us about that particular case down at Monterey, the widow who had the son that was killed at Pearl Harbor, and another son who is now an enlisted man in the United States Navy. Just a short time before that a telegram had been laid before us from the Secretary of the Navy urging upon the proper officials that attention be paid and consideration be given to that particular case.

It seems to me that it might be well to bear in mind that the armed services have already shown that they do intend to take into consideration individual cases.

The Chairman. And that they are on the alert on the hardship cases.

Mr. Sparkman. I offer this Executive order for the record.

(Executive order referred to above is as follows:)

Executive Order

AUTHORIZING THE SECRETARY OF WAR TO PRESCRIBE MILITARY AREAS

Whereas the successful prosecution of the war requires every possible protection against espionage and against sabotage to national defense material, national defense premises, and national defense utilities as defined in section 4, act of April 20, 1918, 40 Stat. 533, as amended by the act of November 30, 1940, 54 Stat. 1220, and the act of August 21, 1941, 55 Stat. 655 (U. S. C., title 50, sec. 104):

Now, therefore, by virtue of the authority vested in me as President of the United States, and Commander in Chief of the Army and Navy, I hereby authorize and direct the Secretary of War, and the military commanders who he may from time to time designate, whenever he or any designated commander deems such action necessary or desirable, to prescribe military areas in such places and of such extent as he or the appropriate military commander may determine, from which any or all persons may be excluded, and with respect to which, the right of any person to enter, remain in, or leave shall be subject to whatever restrictions the Secretary of War or the appropriate military commander may impose in his discretion. The Secretary of War is hereby authorized to provide for residents of any such area who are excluded therefrom, such transportation, food, shelter, and other accommodations as may be necessary, in the judgment of the Secretary of War or the said military commander, and until other arrangements are made, to accomplish the purpose of this order. The designation of military areas in any region or locality shall supersede designations of prohibited and restricted areas by the Attorney General under the proclamations of December 7 and 8, 1941, and shall supersede the responsibility and authority of the Attorney General under the said proclamations in respect of such prohibited and restricted areas.

I hereby further authorize and direct the Secretary of War and the said military commanders to take such other steps as he or the appropriate military commander may deem advisable to enforce compliance with the restrictions applicable to each military area hereinabove authorized to be designated, including the use of Federal troops and other Federal agencies, with authority to accept assistance of State and local agencies.

I hereby further authorize and direct all executive departments, independent sstablishments and other Federal agencies, to assist the Secretary of War or the faid military commanders in carrying out this Executive order, including the lurnishing of medical aid, hospitalization, food, clothing, transportation, use of and, shelter, and other supplies, equipment, utilities, facilities, and services.

This order shall not be construed as modifying or limiting in any way the authority heretofore granted under Executive order No. 8972, dated December 12, 1941, nor shall it be construed as limiting or modifying the duty and responsibility of the Federal Bureau of Investigation, with respect to the investigation of alleged acts of sabotage or the duty and responsibility of the Attorney General and the Department of Justice under the Proclamations of December 7 and 8, 1941, prescribing regulations for the conduct and control of alien enemies, except as such duty and responsibility is superseded by the designation of military areas hereunder.

The White House,
February 19, 1942.

The Chairman. Mr. McCormick and Mr. Travoli would like to testify.

TESTIMONY OF LEROY McCORMICK, ASSISTANT DISTRICT ATTORNEY, TULARE COUNTY, CALIF.

The CHAIRMAN. What is your full name, Mr. McCormick?

Mr. McCORMICK. Leroy McCormick.

The CHAIRMAN. You are an attorney?

Mr. McCORMICK. I am assistant district attorney of Tulare County.

This is Mr. Wendell G. Travoli [indicating], who represents the citizens committee from that county.

The CHAIRMAN. We understand you gentlemen desire to be heard. We haven't any set questions so suppose we proceed this way, informally, and you go ahead and make a statement concerning the things that you think would be interesting to the committee and valuable to us when we report to Congress.

Proceed, Mr. McCormick.

Mr. McCORMICK. We come from the central portion of the State. Our county is largely agricultural and we have many Japanese in the county.

The CHAIRMAN. Is that Congressman Elliott's district?

Mr. McCORMICK. Yes, we are in Mr. Elliott's district.

Mr. SPARKMAN. His whole county.

Mr. McCORMICK. We know him very well.

You have had this morning reports from many of the attorneys and other fact-finding men. I would prefer now to let Mr. Travoli, who represents the citizens, speak. I know Mr. Travoli, and what he says can be depended upon 100 percent.

Mr. Travoli.

TESTIMONY OF WENDELL G. TRAVOLI, REPRESENTING THE TULARE COUNTY CITIZENS COMMITTEE, TULARE COUNTY, CALIF.

Mr. TRAVOLI. I wish to state that there is a mass movement of Japanese into Tulare County. We have sent quite a few telegrams and have received replies, one in particular from Mr. Neustadt stating that he knew of no mass movement to our county.

From my own local township, I have a statement here by the constable that, if you so desire, I will read.

The CHAIRMAN. Go right ahead.

Mr. TRAVOLI [reading]:

OROSI, CALIF., *February 20, 1942.*

To Whom It May Concern:

Within the last week I have checked six Japanese families into the Orosi township. Many more have no doubt come in without bothering to be checked. The number of strange Japanese cars and faces is increasing daily.

In addition to those already here, there has been a request by the Japanese minister and other local Japanese residents to locate homes for 40 more families.

The situation from a law and order viewpoint is serious.

FLOYD H. CLAPP,
Constable, Orosi Township.

Yesterday, the district attorney received a telegram from the southern part of the State asking if he could place 200 Japanese families from the Palo Verde Hills district. He replied that he could not. We were supposed to have a letter from him today but it failed to come in the mail, but that can be checked.

It was discussed over the phone with Mr. McCormick and you can consult Walter Haight to verify the statement.

We have had a lot of Japanese in the community. They have been there for a long time. I have been a resident of the community for 15 years and there were lots of them when I came there. Some of the old residents have been there 30 years and there were lots of them there when they came. We have had no particular trouble with the local residents but more are moving in all the time and the feeling is very high in the Orosi district.

The Los Angeles group figure that they are a menace to them and they send them to us. They have stated several times in Los Angeles that they are a menace to their power facilities. We have two big lines, the Edison lines from Big Creek that run to Los Angeles. They go on the east side of Tulare County from one end to the other, and a third line from the Big Creek area. The Huntington Lake area is in the hills 6 miles east of the double line.

DANGERS FROM SABOTAGE

I have pictures here of that big double line that goes through the community. There is a picture of the line with Japanese camps with hot caps and everything underneath them. Here is a picture of a Japanese camp that shows the double power line standing right behind the buildings. Here is a picture of our local Orosi substation and the Japanese holdings that are immediately diagonally across the road.

There has been no trouble with the local residents but if these aliens are undesirable to Los Angeles and are a menace to their power lines we feel that they are still a menace to the Los Angeles power lines as they are living underneath them. Those big steels are put together with bolts. They are not even riveted. If they don't want to use dynamite or a cutting torch to drop one they can do it with an ordinary wrench.

The third line that is in the hills—I have no picture of that—is not patrolled at all. Even these others are not patrolled to anybody's knowledge. Run through open hills and cattle country and can be destroyed, and there would be no way to check it at all.

The CHAIRMAN. How many resident Japanese have you in Tulare County, approximately?

Mr. TRAVOLI. The district attorney might be able to answer that.

Mr. McCORMICK. About 2,000.

The CHAIRMAN. Do the native-born children own some land there?

Mr. TRAVOLI. Plenty of it.

The CHAIRMAN. Yes.

Mr. TRAVOLI. During the hard times when good, hard-working white people went broke in the Orosi community the Japanese did not.

The CHAIRMAN. Yes.

Mr. TRAVOLI. We gathered from that that they must have had aid from the outside. How else they could have made it nobody in that community could figure out. The white people went broke and they didn't. They have acquired more land continuously.

The CHAIRMAN. And the land they acquired, some of it is in proximity to these power lines, you say?

Mr. TRAVOLI. Yes, sir. I know some of that land. I think all of that is owned by the Japanese. I know that several places are.

The CHAIRMAN. Where are these incoming Japanese going to be located?

Mr. TRAVOLI. They just drop in any place.

The CHAIRMAN. With other Japanese?

MOVEMENT INTO TULARE COUNTY

Mr. TRAVOLI. Yes, in vacant houses. There was one Japanese family from Inglewood that tried to rent a place. The people found out they were from Inglewood and they refused to let them move in. They are camping everywhere.

I was out with the constable yesterday morning interviewing one of the Japanese boys who he figured was reliable for information. I was in company with the constable. We drove into his place and asked him how many new families had moved in close to him.

The CHAIRMAN. Yes.

Mr. TRAVOLI. He talked a little to one of the other boys and he said "three." So immediately Floyd Clapp said "Well, who moved into a certain place over there?" "Oh, I forget; one move in there; that makes four."

He asked him if there were any more. "No, I don't think so."

"Well, who moved in over here?"

"I forget that fellow; that makes five."

Before we got through with him he remembered six.

The CHAIRMAN. In other words, the thought you are trying to get over to this committee is simply this: The Government should not only be concerned with getting them out of a certain area but they should be concerned with where they are going?

Mr. TRAVOLI. Yes, sir; I certainly do.

The CHAIRMAN. Yes.

Mr. TRAVOLI. A lot of the fellows that have been answering your telephone calls say there is no mass movement.

The CHAIRMAN. Yes.

Mr. TRAVOLI. That is one thing I wish to put over, that there is a mass movement to Tulare County.

The CHAIRMAN. Yes.

ORGANIZATION OF HOME GUARD

Mr. TRAVOLI. Now, as far as law and order goes everything is in hand. We have a constable and he is a deputy that serves 400 square miles in that township of Orosi. It runs way back into the hills. He is very much excited. This citizens group bunch of us went down and talked it over with the sheriff and the district attorney and with their advice we organized an Orosi Home Guard to serve within that township. There are approximately 70 members in that home guard. I know of two others that are organizing and a couple of others are being organized. We are not organizing against law and order. We are organizing to make sure that the situation does not get out of hand.

I am also a deputy fire warden in Tulare County. I have the authority to speak for the county. As you can notice in those pictures those places join our foothill area.

That, gentlemen, is the foothill area that lays immediately below General Grant National Park and Sequoia National Park. There is about 10 miles of that grass area, then you run into a bunch of brushland, then you run into the redwood timber. There is no use going into that redwood timber. Everybody knows it is the most valuable timber in the whole world. Those trees have taken 5,000 years to grow. They can be destroyed very easily. There are three roads outside of our local township alone that lead into those mountains; those roads are not guarded at any time day or night. Japanese fellows go up and down those roads as they please. There have been reports of many going up nights. The constable has tried to catch them. He has never been able to ascertain for a fact if they have gone. The roads are not guarded.

Mr. Sparkman. Let me ask you this. You speak wholly of Japanese. What about Germans and Italians?

Mr. Travoli. That is another question. I am glad you brought it up. Mr. Neustadt called me on that, too. There is not a German or Italian alien within Orosi township to my knowledge or the assistant district attorney's knowledge.

Mr. Sparkman. You mean not even living there, nor moving in?

Mr. Travoli. No, sir; not to our knowledge.

Mr. Sparkman. What about these Japanese that are moving in? What portion of them are aliens and what portion native born?

Mr. Travoli. Well, there are a few kids coming in that are going into our schools. There are families coming in, maybe, families with two or three children; some with one.

Mr. Sparkman. Do you think most of the adults are aliens or are they native born?

ATTITUDE OF TOWNSPEOPLE TOWARD NATIVE JAPANESE

Mr. Travoli. I think the constable would say they are mostly natives. The ones I saw personally were. I haven't seen them all.

Mr. Sparkman. What about the 5,000 that live in that county? Are most of those natives of this country or are a good many of them aliens?

Mr. Travoli. Well, there are a few older aliens but I would say the biggest majority are native-born Japanese, educated in our own high schools, and they are the most feared of any of the Japanese residents of our county.

The fire hazard in our territory is the main thing. I don't believe there will be any trouble if those fellows stay there and mind their own business and don't get out of hand because we have a good tight organization under the sheriff and the district attorney's orders and our constable. I don't believe there will be any violence unless they stay there until the country is dry enough to burn and I am afraid, gentlemen, there will be trouble then.

Mr. SPARKMAN. Do you think the Government ought to put these evacuees into concentration camps?

Mr. TRAVOLI. I think they are in a more dangerous place where they are than if they were on the coast because of that timber and the watershed of that county.

Mr. SPARKMAN. Well, I am still trying to get this. Do you think the Government ought to move them further east or do you think they ought to put them into concentration camps?

INDIAN RESERVATION LAND OPEN FOR RESETTLEMENT

Mr. TRAVOLI. They definitely should be moved. If you are asking me where I think they should be moved, I would say that I agree with Mayor Bowron, of Los Angeles, on the 182,000 acres of irrigable Indian reservation land at Parker. That is now uninhabited according to his piece in the paper.

Mr. SPARKMAN. Where is Parker?

Mr. TRAVOLI. Parker is on the Arizona side of California.

Mr. SPARKMAN. In Arizona?

Mr. TRAVOLI. It is one side or the other. I wouldn't definitely state which side right now.

Mr. SPARKMAN. Well, how far is that from the forests on the other side of the mountain?

Mr. TRAVOLI. A long way, gentlemen; a long way.

The hills on the Death Valley side are not timber. There is no fire hazard on that side of the mountains, that is, that far over.

The CHAIRMAN. It appears to me one of the solutions is that the Americans should come home. The Japs should go back to their home. That would solve part of it, wouldn't it?

Mr. TRAVOLI. Definitely. I probably could make some statements on what I think about the exchange of prisoners or the exchange of our citizens but, maybe, this is not the time and place.

The CHAIRMAN. Yes; probably not.

Where are these Japanese coming from? Los Angeles County?

Mr. TRAVOLI. The constable checked in one family, that I know of personally, from San Luis Obispo. Their traveling orders were from the sheriff of San Luis Obispo County. The designation was Dinuba, which is east 6 miles of Orosi, in a different township. They came to Orosi. We sent them back to Dinuba and they immediately came back to Orosi.

The CHAIRMAN. The more you think about it the more you will come to the conclusion, I am quite sure, that when evacuation takes place there should be some orderly procedure as to where they are going to go, not hit and miss, scattered throughout the different counties and States. Isn't that true?

Mr. TRAVOLI. Positively.

The CHAIRMAN. We have got to get at that.

Mr. TRAVOLI. I believe in law and order. I am an Army man, served during the World War. I believe in law and order a hundred percent.

The CHAIRMAN. In other words, suppose all these evacuees made up their mind to go to Tulare County. You couldn't handle them.

Mr. TRAVOLI. That is the situation now. Even if our district attorney were to tell these 200 families from the Palo Verde hills they could not come, they could still come. There is no way to stop them.

FIRE HAZARD IN TULARE COUNTY

But it is the fire hazard that is the dangerous situation to Tulare County. That is the biggest menace.

Some of you eastern fellows that have never fought fires through those hills can't appreciate this danger. You can start a fire from a cigarette. I can show you territories. One started last year right below my place. It burned half a section on a Sunday afternoon before it could be put out. That grass land does burn.

The CHAIRMAN. Well, anyway, it appears to me that the problem is so big that the Government must tackle it just to determine where these people are going to go.

Mr. TRAVOLI. Yes, sir.

The CHAIRMAN. When they are sent into other States they lose their residence here and they don't acquire it in the others. They are not entitled to go on relief. It possesses possibilities that need attention because we are going to run right up against that very critical problem of the different States not wanting these people and different counties not wanting them.

Mr. TRAVOLI. It is the same situation as police floating undesirable citizens out of one city on to the next city to take care of them. If we float them off the coast they come back to us; if we float them somewhere else they come back to us.

I think Mayor Bowron's solution of that Indian reservation is the best solution I have read.

The situation that I speak of in Orosi Township extends through five or six townships, all along the east side of Tulare County. It is all bad fire-hazard country and those three power lines run parallel to those hills, the entire length of the county, about 60 miles.

The CHAIRMAN. I know your Congressman, Congressman Elliott, very well. He is deeply concerned about this. He has been very much on the alert about it and he presented the matter probably a little bit more emphatically than you are right now.

Mr. TRAVOLI. I am acquainted with Mr. Elliott.

The CHAIRMAN. If the condition gets worse or changes in any way, feel free to send the committee an additional statement. We will have our records open for 10 days or 2 weeks for you.

Mr. MCCORMICK. Yes. I was going to ask permission to do that, Mr. Chairman.

The CHAIRMAN. Yes.

Mr. MCCORMICK. We have a number of people in the county who wanted to express their views. We knew you couldn't hear them today. I was requested to ask permission if I couldn't reduce some of these statements to affidavit form and send them direct to you.

The CHAIRMAN. I will tell you, you send it to us and tell us what these people told you. We will put it in the record just as if they had testified.

FARM LABOR SITUATION IN COUNTY

Mr. SPARKMAN. Let me ask you this: Is there any likelihood of farm labor shortage in Tulare County this year?

Mr. TRAVOLI. Positively not.

Mr. SPARKMAN. Don't you depend to a large extent on migratory farm workers?

Mr. TRAVOLI. There is quite a bit of Mexican labor through there. As far as this cry goes on shortage of vegetables, people are thinking about the penny and letting the dollar run away from them. What little our vegetables amount to compared to the damage that could be done in case of a raid on the coast, and if the people there wanted to go to town, which they may not—there may not be any raids there—there may not be any cause for alarm—but what the vegetable industry of Tulare does wouldn't be a drop in the bucket compared to a disastrous fire through our foothills.

Mr. SPARKMAN. Suppose the Government took a great many of these evacuees who were agricultural workers back here on the coast and by maintaining them as registered groups, and keeping close supervision over them, put them to work in the various agricultural sections, do you think that might be practical?

Mr. TRAVOLI. Yes, sir; I do, and that is one reason that I agree with Mayor Bowron on that Indian-reservation land. I have never been on that particular piece of land, but I have been up and down the Colorado River.

WANTS JAPANESE REMOVED FROM STATE

Mr. SPARKMAN. That is purely a resettlement proposition, as I understand. I am talking about using them to make up for the shortage in migratory farm labor which we are likely to have this year in various sections of the United States.

Mr. TRAVOLI. Oh, you mean outside of this State?

Mr. SPARKMAN. I don't know.

Mr. TRAVOLI. Well, I am not in favor of letting them stay in this State.

Mr. SPARKMAN. You would take them completely outside of California?

Mr. TRAVOLI. Oh, positively; unless you want to put them in a camp and I don't believe that would work out extra good. It would take lots of guards and they, themselves, probably would rather go to areas not quite as restricted as a camp. I wouldn't advise a camp when I know there are other places to put them.

Mr. SPARKMAN. That is all.

The CHAIRMAN. We have heard from Washington the importance of the Japanese in growing and producing vegetable crops in California.

Now, the attorney general of California, Mr. Warren, this morning said that the Japanese employ Filipinos, Mexicans, and whites just like the white grower does, and we heard in Washington, repeatedly, the importance of keeping the Japanese growing vegetables.

Now, I have some figures. I don't know who gave them to me. I guess they are all right. They are taken from the United States Department of Agriculture.

Only 1 percent of all the vegetables produced in the United States for processing, canning, freezing, excluding canned tomatoes, is grown or controlled by Japanese growers in California.

Authority for this statement is taken from the United States Department of Agriculture, Board of Acreage Production of Commercial Truck Crops of the United States for 1941, released December 1941.

Only 3½ percent of all truck crops grown in the United States are produced in California. Japanese here include both aliens and American citizens.

Only 4¾ percent of all the vegetables produced in the United States for processing, canning, freezing, and so forth, excluding canned tomatoes, are grown in California.

Only 8½ percent of all the vegetables produced in the United States for processing, including canned tomatoes, are grown in California.

So, you see, it isn't quite as critical as depicted to us. Is that right?

Mr. Travoli. That is correct. It is not nearly as critical as some people make believe it is.

MEXICAN FARM LABOR SUGGESTED

Right now on the farms that are in those pictures some of the older aliens might still do a little work. As for the young Japanese who have graduated from our high schools, they don't do what you call stoop labor. They hire Mexicans. They used to hire a lot of Filipinos but they had a few Filipino insurrections around there. They have kind of laid off the Filipino. The Filipino isn't quite so anxious to work for them. The Japanese don't want them either. They hire a lot of Mexicans. The California labor situation, if we need migratory labor, can be helped by loyal Mexicans.

The Chairman. Well, I think you will still agree with me that something orderly should be done about not only the evacuees but where they are going, whether they are the Japanese or the Italians or the Germans or what?

Mr. Travoli. Yes, sir; I do.

The Chairman. At least, we can't kick human beings around no matter who they are.

Mr. Travoli. No, sir.

The Chairman. We have got to get on the job and see what is the best thing to do for them.

Mr. Travoli. I am not in favor of abusing any of them. I am in favor of getting them out of Tulare before the last of May. The first of June the fire season is very, very acute in Tulare County.

The Chairman. Thank you very much, gentlemen. We appreciate you coming here.

Mr. Fouke.

TESTIMONY OF ROBERT H. FOUKE, REPRESENTING THE CALIFORNIA JOINT IMMIGRATION COMMITTEE, SAN FRANCISCO, CALIF.

The Chairman. State your name and capacity, for the reporter.

Mr. Fouke. Robert H. Fouke. I am appearing as a member of and representing the California Joint Immigration Committee, which committee has been established for many years, and is composed of the American Legion of the State of California, the State federation of labor, the Native Sons of the Golden West, and the California State Grange, as well as individual members who include former State Attorney General U. S. Webb and Mr. J. McClatchy.

Mr. Chairman and members of the committee, the California Joint Immigration Committee has studied the problem of the Japanese as well as other Asiatics, for, perhaps, the last 20 to 30 years, hence, is familiar with the problem. (See Exhibits A and B.) We were largely instrumental in the passage of the 1913 Alien Land Act. At that time the committee was known as the Japanese Exclusion League, subsequently being termed, as it is today, the California Joint Immigration Committee. And it was instrumental, in 1924, in securing the adoption of the present immigration law which now excludes any Asiatics from a quota, as such, as distinguished from the quota of 100 that is accorded to all nations if there are people therein eligible for citizenship. In correlation with our century-old policy adopted in 1790, that law prohibits the naturalization of any person unless they were a member of the white race. With one modification, covering the question of those of African descent and nativity, that policy has been adhered to throughout these years.

The things that have happened in recent months are events that we predicted would occur or were likely to occur. That is history, of course, and the committee would not wish, probably, to go into the academic problems leading up to that particular situation. Rather, I judge from the testimony that you have heard thus far, that you are concerned with the immediate problem and what can be done in connection with that immediate problem in order to handle it expeditiously, with due regard for the rights of all parties, be they alien, alien enemies or citizens of the United States.

And it was with that thought in mind that I requested your consent for the chairman of our committee to appear here. In his absence, may I at this time request the opportunity of submitting in document form additional data for the committee to be incorporated in your report to Congress.

In that connection I would like to call your attention specifically to a report of the California Joint Immigration Committee issued on May 27, 1936, entitled "The Dangers Created by Japanese Dual Citizenship" (see Exhibit C) which is really the basic problem that we have now. It is because of that particular problem that the committee has recently passed a resolution (see Exhibit D), a copy of which will be made available to your committee, to the effect that we believe that the military authorities should be entrusted with the responsibility and supervision and the right to declare what may constitute a combat area, landward to such distance from the coast as may be deemed advisable, or setting up various areas within the State adjacent to any defense areas or communities, large populated communities or elsewhere, wherein no persons, be they citizens or aliens, would be permitted unless it has been first established that their presence there was desirable or not inimical to the welfare of the country.

JAPANESE DUAL CITIZENSHIP

And in that connection, in order that the committee may realize the seriousness of the problem that we have, as has been testified to, there are in the neighborhood of 100,000 Japanese in the State of California, a large number of whom are in possession of dual citizenship, under a law of December 1, 1924, that Japan passed called the New Nationality Law.

Under that law Japanese born in the United States after that date automatically lost Japanese citizenship unless within 14 days they were registered at the Japanese consulate. The law further provided that those who registered, as well as those born here before December 1924, could renounce Japanese citizenship by declaration at the Japanese consulate after reaching their twentieth year.

The records that we have accumulated during the years (see Exhibit E) show that the Japanese so born do not repatriate themselves by renouncing their Japanese citizenship other than to the extent of about one-third, the remainder retaining their citizenship. In fact, there are many who are citizens of the United States who have returned to Japan, to be educated in the Japanese schools, and for all intents and purposes, and practically speaking, are Japanese. Some have been, of course, impressed into service in the Japanese Army, United States citizens who are fighting the country of which they are also citizens.

POSITION OF KIBEI SHIMIN

Likewise, through the years there have been what are known as Kibei Shimin, meaning those who are the sons or daughters of a United States citizen, one who was born in the United States of Japanese forebears who have returned to Japan. There are instances where, if the parent was a United States citizen, even if they were born in Japan, they would be entitled, under our immigration laws, to be considered as a citizen of the United States, provided before reaching the age of 18 they have come here, probably at the age of 14, to be educated and continue forth and declare themselves a United States citizen.

In this group there are many thousands. The exact number we are not in a position to say. But we do know, according to the Japan foreign office announcement, that there were about 50,000 of these Kibei Shimin. Many thousands of them returned to the State of California and to Hawaii and there they became a part of and partially responsible for the conditions that existed at the time that the 1924 Exclusion Act was passed. Those particular individuals, being foreign in ideas and background and purposes and so forth, have created a very bad situation so far as the native-born American-Japanese citizen is concerned, who was born here and educated here, because by their actions and conduct they have indicated their lack of loyalty to this country. There may be Japanese who are loyal to this country, yet there is no way of proving that loyalty.

Admiral Yates Sterling, retired admiral of the United States Navy, in an article in the Liberty magazine of June 17, 1919, in speaking about Hawaii, doubted whether there were any Japanese whose loyalty could be counted upon in the event of an emergency.

All of this leads to the conclusion of our committee, that all aliens or citizens whose loyalty to this country may be in doubt should be evacuated immediately from the combat areas.

LAND OWNERSHIP BY JAPANESE

In the State of California most of the Japanese who migrated here went into our farming communities, and, in effect, took over the larger portion of the farming land. This resulted eventually in the passage of the Alien Land Act of 1913. It was because of that that there is a popular concept that the Japanese are controlling the agricultural production of the State of California, or other areas, whereas the testimony here indicates otherwise.

As has been pointed out, it is true many of them have acquired and now hold property in the names of their children as American citizens. There is some doubt as to the legality of it, but nevertheless they have been operating the land and hiring others such as Filipinos and Mexicans who are willing to work for the wages they are prepared to offer. Following the same practice, as was true in Hawaii, many Japanese have gone out into other occupations. In some cases they are shopkeepers and merchants and they are engaged in all types of businesses.

So the problem here is not merely one of transferring a group of people of one class alone to another area and thinking that you can rehabilitate them by putting them on farm land in Nebraska or Kansas, because many of those people know nothing whatever about farming. They should be permitted to follow the particular vocations they are best equipped for as long as there is no question about any activity that might be detrimental to the welfare of this country. In the State of California, in particular, they have developed, for all purposes, a little Japan in those farming areas, their own language, schools, and churches.

JAPANESE-LANGUAGE SCHOOLS

Well, that in itself might have been all right had they not established Japanese-language schools. In the establishment of these language schools, Japanese Buddhist teachers were brought in under the exceptional provision of the immigration laws. Their religious as well as the educational background was Japanese both as to culture, ideas, ideals, action, and thought. In the Japanese-language schools, from the information we have been able to receive, the Japanese indoctrination of American-born Japanese occurred.

Likewise, we have had the problem presented wherein there hasn't been the assimilation of those people as there has been in the case of our other alien enemies, the Italians and the Germans, who, after a generation or so, became American in thought, ideas, and actions.

We note also that in the single case of the Japanese we have the only situation in which the question of race, religion and nationality, in that the Emperor of Japan not only is the head of a nation but likewise he is the head of the church and the descendent of the Sun God. As such all Japanese who profess the religion of which he is the leader naturally have that particular religious obligation, even if the national element was not thrown into the picture.

And it is because of that that we have every reason to doubt whether Japanese are loyal or would be loyal in the present war between the Empire of Japan and the United States of America, although we know that with some other power, probably, we could count upon the loyalty of these dual citizens.

In addition we have had the bringing in of the so-called Japanese culture and that in itself has caused considerable difficulty.

Much more can be said which we will supply by way of exhibits to be furnished because I do not wish to take this committee's time unduly. We believe that it is essential and important that some provision be made for the military authorities—and by "military" I include the Navy and the Marine Corps as well as the Army—to be entrusted with the authority to determine wherein or where there should be established combat zones, and to that extent landward or within such areas as they may deem fit and proper with admission thereto subject to permits for either citizens or aliens. But in connection with this whole program, while we must recognize and remember we are at war; that the welfare of the Nation is paramount; and that people who are loyal, including Japanese or Italians or Germans, as the case might be, may best show their loyalty by acquiescing and assisting in carrying out these things so as to minimize the suspicion or the assertions that they are not loyal being made against them. They, in that way, will be best serving our country even if they are not called into the armed forces to serve. In time of war we must recognize as well that many of the rights of people are dependent upon the protection and the defense of those rights. You can only defend those particular rights by seeing to it that the military is not so involved or so handicapped by acts or possible acts of espionage or sabotage or interference with the evacuation of people of this area. Hence, all those whose loyalty is not unquestioned should be removed from that area.

SUGGESTS CONTROL OF EVACUATION BY SINGLE BOARD

As a personal opinion in connection with how this may be done. Some suggestion has been made that there is no agency established at the present time among the governmental agencies capable of handling this problem. In view of the fact that this is an emergency, that something must be done immediately, it would be a personal suggestion that a new agency be established to be known by some title such as the National Security Department or Administration or Board, which department would be entrusted with full power and control to handle all matters arising out of or in any way connected with this particular problem, other than the rights of the military to declare what zones exist and the evacuation from those areas. I would include within that agency such groups as the Unemployment Insurance group, the Civilian Conservation Corps, the National Youth Administration, the Farm Security Administration, the Treasury Department, and utilize those agencies to the extent that may be necessary until the proper organization can be set up, if at all, recognizing the emergency and having that agency administer the properties of any of these aliens or citizens who are evacuated from this area, and handling the question of the taking care of the crops or the leasing of the property, as the case might be. All groups would act through the proposed National Security Administration, that name being suggested because there is no discrimination implied.

ADDITIONAL HARDSHIP CASES

I am mindful of the fact that there are many people who believe that our civil rights should not be transgressed, not recognizing the fact that we are in war at the present time, and that this affects the welfare of the Nation rather than the welfare of a few, or that a few only may be involved.

I would like to suggest to the committee for serious consideration the so-called hardship cases we have. Of course, I know of one case here where the Federal Bureau of Investigation removed an enemy alien who was blind, dumb, deaf, and paralyzed, if you please, because under the tenor of the law the alien enemy had to be out of that restricted zone.

Now, we have here in California, many thousands of Germans and Italians. Many Italians, in particular, came here who are not able to read or to take the examinations, or who didn't see fit to do so, who have been here since childhood. Many of those people have had large families. All of them are citizens, many serving in our armed forces. Their loyalty, without doubt, is unquestioned.

I recall the statement made this morning that there was a situation in Monterey of two boys in the armed forces whose mother would have to be removed. Now, it seems to me that it would not be an advisable move to make, as was suggested, to perform a surgical operation and remove everyone and then to come back and say whether or not some should be permitted to return.

I feel in the case where there is no doubt as to the loyalty of the individual, be he Japanese or be he of any other racial group or religion, citizen or alien, that if there is no question about the loyalty of that person, as can be established by the military or reputable groups, that that party should be permitted to remain, having in mind the so-called hardship cases. And we know the Federal Bureau of Investigation is very active in connection with the removal of those about whom there is any question or doubt.

PROVISION FOR EMPLOYMENT

Upon removal, through these various agencies, under the coordination of the one central agency, it would be my suggestion that evacuees be placed in some of the temporary camps, C. C. C. camps if they are available, or any other hospitals or institutions that could be made available for this purpose, and through the unemployment groups provision be made for the rehabilitation, that is, providing employment for them throughout the United States in the various locations and in trades in which they were accustomed to follow, whether it be farming or whether it be manufacturing, or what-not can be secured. If the military limited a zone within 100 miles of our border, that probably would be the best solution because I feel that after this war is over our acts now will aggravate or minimize our future problems. It is important to keep this in mind and not remove, unnecessarily, many people who are valuable citizens, who have established themselves in communities.

We should minimize the losses of life and property and investments, to the extent that we can, and those are all factors that can be considered in connection with this proposal.

I merely call that to your attention and suggest it to you for the consideration of your committee.

In concluding, then, I would ask again that we be given the opportunity to submit a prepared statement or exhibits.

The CHAIRMAN. Yes, sir.

DIFFICULT TO ESTABLISH LOYALTY OF JAPANESE

Mr. FOUKE. Calling attention to the fact that in view of the long record over some 30 years of time we are satisfied that it is very doubtful to be able to establish the loyalty of any person who came from the Empire of Japan, whether the descendent of one who came here or not, and that we also have a general problem of dealing with all alien enemies.

Our committee is concerned only with the Asiatic group, as such, and with the Mexican problem.

It is with that in mind that we recommend that the committee recommend to Congress the establishment of combat zones, the evacuation of all persons, aliens or citizens alike, from such zones, and under the supervision of the authorities that are constituted and at the expense of those authorities make provision for the removal of those people as expeditiously and as efficiently as possible.

Thank you very much.

The CHAIRMAN. Well, I want to say this to you, I have heard a good many talkers in Congress, but I think you match right up with them. You don't seem to have much trouble at all—effortless. I just want to give you that compliment. I don't think we have anyone there that can beat you.

Mr. FOUKE. Thank you very much, sir.

Are there any questions?

(The following exhibits were submitted for the record. Exhibits A and B, which are very similar in content, were both submitted for the record.)

EXHIBIT A.—THE STORY OF JAPANESE IMMIGRATION

JAPAN DEMANDS WHAT MAY NOT BE CONCEDED

(V. S. McClatchy, executive secretary, California Joint Immigration Committee) [1]

Japan has made demand that the United States repeal that part of the law of 1924 which excludes aliens ineligible to American citizenship and then open the gates to Japanese immigration (and necessarily to all other Asiatic immigration as well).

Widely publicized notice of the contemplated demand was given before the Japanese Diet, March 23, 1937, assertedly based on information (which had no foundation in fact) that public opinion in the United States on the subject had changed, and that a bill to comply with Japan's desires had been introduced in Congress.[2] Previous thereto, on March 10, Ken Sato, a prominent journalist of

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[1] Article published in the Labor Clarion, San Francisco, September 3, 1937.

[2] The "information" apparently was furnished by Seijiro Yoshizawa, counselor to the Japanese Embassy at Washington, who was called to Tokyo to act as spokesman for the Foreign Office there. In an interview in the San Francisco Japanese-American News, February 5, 1937, he referred to an assumed change in American opinion on the subject and to an immigration bill by Kvale, H. R. 3798, as proposing quota for Japan. That bill, however, contained no reference to Japanese immigration.

Japan, stated in Honolulu that he was on the way to the mainland on a "mission" to inform "American editors, Congressmen, and the President" that this concession was necessary to insure friendly relations between the two countries. That mission was fulfilled in a number of cities, commencing on the Pacific coast in early April and winding up later in New York and Washington.[3]

Japan's demand, therefore, is sufficiently explicit. What shall the answer be? The exclusion provision of 1924 was the only plan of the five then or since proposed (three thereof favored by Japan) which, without discrimination and without surrender of national sovereignty or congressional prerogative, would effectively shut out the only element of Asiatic immigration then still pouring in contrary to law or agreement.[4] That law and its basic principle, once abandoned, may never be recalled.

JAPAN'S RECORD IN IMMIGRATION

Immigration quota, if granted to Japan, will be regarded only as a proof of our weakness and an incentive for further demands. She has said, through various spokesmen, that quota will not satisfy; that she must have "racial equality"; and "racial equality" in this matter means ultimately entrance for as many immigrants from Japan as may be admitted from Canada or any first-class nation of Europe. The experience of the world with Japanese immigration in the past offers ample material to support a prompt decision by the United States in this matter; and a brief outline of that experience is presented herewith.

Up to 1885 Japan forbade any emigration of her people. In 1891 she commenced to send out emigrants for settlement in favorable lands, and by 1900, with the aid of emigrant associations and government appropriations, was shipping them in thousands.[5] Australia and the west coast of the United States took alarm at the menace offered by the entrance of such unassimilable elements of immigration. Australia, refusing Japan's plea for a "gentlemen's agreement," promptly enacted an exclusion law which Japan protested as discriminating and insulting, but finally accepted and has since found no bar to friendly relations.[6] Australia's Japanese population steadily decreased and in 1920 was only 5,261.[7]

THE TWO GENTLEMEN'S AGREEMENTS

The United States unwisely acceded to Japan's request that the agreed exclusion of Japanese from the United States mainland, and, with certain reservations, from Hawaii, should be accomplished by Japan's control of visas. The first agreement, made in August 1900, remained in effect until July 1, 1908, when it was supplanted by the second agreement, made in 1907 by President Theodore Roosevelt. Warned by the flood of immigration which poured in in violation of the terms of the first agreement,[8] the agreement of 1907 was carefully safeguarded so that if Japan failed to (*a*) exclude Japanese laborers and (*b*) prevent increase of Japanese population in continental United States, the agreement would be replaced by an exclusion law.[9] In addition, the President, under congressional authority, forbade entrance into continental United States of Japanese or other ineligibles coming under Japan's visa through Hawaii or any foreign country; and in 1911 the Senate refused to approve the Treaty of Commerce and Navigation with Japan until the Japanese ambassador, in a footnote thereto, guaranteed on behalf of his government that the terms of the agreement as to exclusion of Japanese laborers would be maintained.[10]

Notwithstanding all those precautions, the terms of the agreement, after Roosevelt's incumbency, were steadiy and openly violated in entrance of laborers and of picture and kankodan brides, who served the double purpose of field laborers and mothers.[11] It developed that the agreement could not be enforced under our laws.[12] Protests from the Pacific coast were unheeded by the Federal Government, and certain States sought to protect themselves and their citizens by passage of alien land laws.

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[3] Honolulu Advertiser, March 10, 1937; also interview in New York Herald Tribune, May 6, 1937. See also C. J. I. C. Docs. 492, 495.

[4] Quota or Exclusion for Japanese Immigrants?, Commonwealth Club, San Francisco, December 20, 1932, p. 314, footnote 10

[5] According to U. S. Census Japanese population in continental United States was, in 1880, 148; 1890, 2,039; 1900, 24,326; 1910, 72,157; 1920, 111.010. The actual population in 1920 was approximately 150,000—in California 100,000 in other States 50,000. See Senate Committee Hearing, March 1924, pp. 20, 25, 164-165; also McClatchy Brief, 1921, secs. 68-83.

[6] Racial Discrimination in the Attitude of Australia Towards the Japanese, Cyril Wynne, Widener Library, Harvard University; also Queensland Parliamentary Papers, A-5, 1899, and A-56, 1901.

[7] Japanese Yearbook, 1923, p. 45, 46.

[8] Theodore Roosevelt and the Japanese American Crises, Bailey, p. 2.

[9] See President Theodore Roosevelt's telegram to California Legislature, February 9, 1909; also his autobiography, pp. 411-414; and correspondence with William Kent and others—explained in Senate Immigration Committee Hearing, March 1924, pp. 12-16.

[10] Senate Immigration Committee Hearing, March 1924, p. 16; also statement of Y. Uchida, February 24, 1911, at p. 245 of Percentage Planfor Restriction of Immigration, House Immigration Committee Hearing, 1919.

JAPAN'S POLICY FORCES CONGRESSIONAL ACTION

In California the Japanese established a state within a State wherein every Japanese, whether alien or American citizen, was forced, through registration in a minor association, subject to control of the Japanese Association of America (which in turn acted under direction of the consulate general of Japan) to obey the orders of Japan in peace and in war.[13]

In 1915 the Federal Council of the Churches of Christ in America, hoping to secure thereby Japan's aid in evangelizing that country, promised to obtain for her nationals immigration and naturalization privileges in the United States; inaugurated a Nation-wide campaign therefor; had two bills introduced in Congress for the purpose in 1919 and actively championed those bills in committee hearings.[14]

In 1920 the Japanese population of the United States, including Hawaii, had become over three times as great as that of all other countries of the world, outside of Asia, combined.[14a]

An aroused Nation demanded abrogation of the "gentlemen's agreement" and exclusion of Japanese by law. Hearings were held before the congressional committees in 1919 and the following years, and in 1924 Congress included in the immigration restriction act the provision excluding all aliens ineligible to citizenship. In the final hearing before the Senate Immigration Committee in March of that year the cause of Japan was presented by the Federal Council of the Churches of Christ in America under direction of Sidney Gulick, while the case for general exclusion of all ineligibles was presented on behalf of the California Joint Immigration Committee, under authority of its then four sustaining California State bodies—American Legion, Federation of Labor, Grange, and Native Sons of the Golden West—by ex-United States Senator J. D. Phelan, State Attorney General U. S. Webb, and V. S. McClatchy. Enforcement of that law stopped further entrance of Japanese for permanent settlement, and in consequence the Japanese births in California alone dropped from 5,010 in 1923 to 1,448 in 1936.

JAPAN'S ACTIVITIES SINCE 1924

In other countries outside of Asia which failed to take precautionary measures the Japanese population rapidly increased after 1920, until in 1934 their combined Japanese population was nearly as great as that contained in the United States, which was 304,670.[15]

South American countries, notably Brazil and Peru, awoke to the danger in 1934, and have since sought by exclusion and restriction to guard against it.[16]

Since 1924 Japan has sought steadily—without success, however—to induce a change in American public opinions as to the exclusion law. An elaborate campaign for that purpose from 1930 to 1934 in the three Pacific Coast States provoked letters to President Franklin D. Roosevelt in January 1934 from the 35 congressional representatives from those States declaring themselves, on behalf of their respective constituencies, unalterably opposed to any modification of the existing law. In January 1933 the members of the Commonwealth Club of California, after reading the report of a year's investigation by its immigration section, voted by large majorities against any form of immigration quota for Japan.[17] Since January

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[11] Statement of House Immigration Committee March 24, 1924, in Report No. 350, "The purpose of the agreement * * * as explained by Roosevelt, has not been carried out. * * * The Japanese population of continental United States has very materially increased; * * * thousands of Japanese women have come in as laborers, designated on the manifests and in the reports as such, and have performed the double duty of field laborers and mothers of families averaging five children."

[12] Letter, Secretary of State Hughes to House Immigration Committee, August 16, 1921, in Labor Problems in Hawaii, House Immigration Committee Hearing, 67th Cong., pt. 2, p. 928. Also decision of Judge M. T. Dooling, U. S. District Court, San Francisco, Calif., case of M. Nakao, May 1916.

[13] Japan's Secret Policy, Senate Doc. No. 55, 1921, p. 63.

[14] "Quota or Exclusion for Japanese Immigrants?" cited, p. 313 and footnote. House Immigration Committee Hearing 1919-20-22; Senate Committee Hearing March 1924; Brief V. S. McClatchy, "Political Activities of the F. C. C. C. A." presented to House Immigration Committee, January 6, 1926; "Japanese Conquest of American Opinion," Montaville Flowers, 1917.

[14a] Japanese Yearbook, 1923, p. 45, 46.

[15] Japanese Census 1934, quoted by San Francisco Japanese American News, April 26, 1937.

[16] Associated Press story, April 26, 1937; editorial Washington Star, April 28, 1937.

[17] C. J. I. C. Doc. No. 312.

1934 there has been no reference to the subject, either on the floor or in committee of either House of Congress.

Japan's efforts did not cease then, however. Within the past 3 years published statistics show that in Hawaii two-thirds of the citizens of Japanese ancestry, and even of those registered as voters, retain Japanese citizenship through choice, and are bound to obey Japan's orders in peace and in war. Similar conditions exist in California, though access to the statistics cannot be had. * * * In Hawaii, now demanding statehood, two-thirds of the population is Asiatic and 40 percent Japanese, while the largest racial group of registered voters is Japanese.[18]

In Hawaii and California withdrawal of certain public school books has been forced because they contained misrepresentations, in Japan's interest, of the facts concerning Japanese immigration and current events in Asia.[19] * * * The Japanese American Citizens' League in California has pledged its members to "solidarity"—the use of their position and united strength for the benefit of Japanese generally, alien as well as American citizens. As part of that policy admission of alien Japanese relatives from Japan and naturalization of alien Japanese resident in the United States are now urged. Grant of such privileges would force repeal of the 1924 exclusion provision and abandonment of its basic principle. * * * The Japan Foreign Office has recently urged the return of 50,000 "Kibei Shimin," now in Japan, to California and other Pacific coast States, where their American citizenship can be of most service. The Japanese Association of America is promoting the movement. "Kibei Shimin" are Japanese born in the United States and sent back in early childhood to Japan and there trained through youth to maturity in the duties and loyalty of Japanese citizenship. "Kibei Shimin" are received without question into full membership by the Japanese American Citizens' League.[20]

WHAT SHALL OUR ANSWER BE?

Apparently Japan believes the time is now ripe for a final decisive drive to force entrance for her emigration into the largest English-speaking nation of the world. Hence the present widely publicized demand for the necessary change in our laws to serve her purpose. Japan's ground for complaint, if she has any in this matter, is not against the exclusion law, which is not discriminatory, but against our century-old naturalization law which, as amended 70 years ago, creates a basic barrier against admission of races other than white and black.

As between Japanese and Caucasian there does not arise, and has not been suggested, any question of racial superiority. Both races are so strong in characteristics that make for racial dominance, but at the same time so dissimilar, that absorption of one by the other is out of the question. The attempt to assimilate the two in the land of either is, as frankly stated by President Theodore Roosevelt, Japan's consistent friend, certain to provoke disaster. Japan, many years ago after determined protest, gracefully conceded the issue in three British dominions. She has permitted herself to be misled here by the counsel of certain American influences, some not disinterested, and others manifestly uninformed as to the facts. The American Nation cannot permit its permanent welfare to be jeopardized by conceding a demand which, aside from its assumption of the right to dictate to a friendly power in a matter of domestic policy, has no foundation in fact or in justice.

EXHIBIT B.—THE STORY OF JAPANESE IMMIGRATION

THE RECORDS IN A VEXED QUESTION

The immigration question created serious disturbances in Japan's relations with Australia and with the United States, respectively, at the opening of the present century.

In one case the misunderstanding disappeared after a few years without injury to either nation. In the other it increased, and in time assumed grave proportions.

The reason? In both cases there was friendly agreement as to the wisdom of exclusion and difference only as to the method for insuring it. In one case,

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[18] C. J. I. C. Doc. No. 451; statistics in letter Governor Poindexter to C. J. I. C. February 15, 1936; Honolulu Advertiser, August 10, 1935.

[19] C. J. I. C. Docs. Nos. 458-9, 476, 501.

[20] Osaka Mainichi, March 19, 1937, C. J. I. C. Doc. No. 506.

Australia, as a sovereign state, enforced exclusion. In the other, Japan, at her request, was permitted by the United States to secure the agreed result.

After 24 years' experience the United States was compelled to abandon that plan and follow the example of Australia. Japan now demands what she originally agreed was not to be granted.

The facts, with verification, are covered briefly in the following article, "The Story of the Japanese Immigration." That they may be known generally to the citizens of both nations, and particularly to students of Pacific relations, the California Joint Immigration Committee permits the article to be quoted in whole or in part.

Japan has recently demanded that the United States repeal that part of the Immigration Restriction Act of 1924 (sec. 13c) which is commonly but mistakenly called the Japanese Exclusion Act. It provides that "No alien ineligible to citizenship shall be admitted to the United States * * *," and applies to half the population of the globe, of which half the Japanese constitute about 7 percent. It will be understood that if this measure is repealed and Japanese admitted, all other Asiatics must, in fairness, be admitted as well.

On March 23, 1937, it was announced in the Japanese Diet that public opinion in the United States on the subject of Japanese immigration had changed (a statement which had no foundation in fact) and that a bill permitting Japanese immigrants to come into this country under quota [1] had been introduced in Congress.[2] About 2 weeks before this announcement was made in the Diet, Ken Sato, a prominent journalist of Japan, stated in Honolulu that he was on his way to the mainland on a "mission" to inform "American editors, Congressmen, and the President" that to insure friendly relations between the two countries Japan's demands in the immigration matter must be met. Sato traveled from the Pacific coast to New York and Washington in fulfillment of his "mission." [3]

Japan's demand is clear. What shall the answer be? The exclusion provision of 1924 was the only plan of five proposed then or since which met the conditions satisfactorily. Those plans were—

(1) *A Japanese exclusion law.*—Rejected as insulting and discriminatory.

(2) *A treaty.*—Not acceptable because regulation of immigration is solely the right of Congress, since it is purely a domestic question, and a treaty would intrude on that right.

(3) *New agreement.*—This would put the regulation of immigration into the hands of a foreign nation. No country should permit such a condition. It would also be a violation of the right of Congress to regulate immigration; and since two previous agreements with Japan had failed there was no reason to believe a new one would prove more satisfactory.

(4) *Quota.*—Would concede to Japan equality in immigration matters with the countries of Europe and preference over the countries of Asia. It would nullify our naturalization law and force abandonment of our basic policy of excluding unassimilable elements from our population.

A Japanese quota might be small, but nonquota immigrants (admitted from all countries in addition to those coming in under quota), and alien wives for American citizens of Japanese ancestry (much desired by them), would bring the total annual entries to a large number. And these conditions would apply necessarily to all other Asiatic countries.

Such nullification of the exclusion measure would permit the entrance without restriction of every person born of oriental parents in the Western Hemisphere.

(5) *Exclusion of all aliens ineligible to citizenship.*—The latter plan, exclusion of ineligibles, was decided by Congress to be the only satisfactory one. It excludes, without discrimination and without the loss of the sovereign rights of this country and the rights of Congress, the only Asiatics who were still pouring in contrary to law or agreement.[4] The Chinese were excluded by the Exclusion Act of 1882 with later amendment; Hindus and Malays by the Barred Zone Act of 1917; and the gentlemen's agreement of 1907 (the details of which were secret) provided that Japan should send no laborers into continental United States, and that the

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[1] "Quota" is the number of immigrants of each eligible nationality permitted to enter this country annually under the terms of the Immigration Restriction Act of 1924.

[2] The "information" apparently was furnished by Seijiro Yoshizawa, counselor to the Japanese Embassy at Washington. He is quoted in San Francisco Japanese-American News, February 5, 1937, and referred to an assumed change in American opinion on the subject and to a bill by Kvale, H. R. 3798, as proposing quota for Japan. That bill contained no reference to Japanese immigration.

[3] Honolulu Advertiser, March 10, 1937; also New York Herald Tribune May 6, 1937. C. J. I. C. Docs. Nos. 492 and 495.

[4] "Quota or Exclusion for Japanese Immigrants?" Commonwealth Club, San Francisco, December 20, 1932, p. 314, footnote No. 10.

Japanese population of continental United States should not increase. Neither provision was carried out; laborers entered in large numbers, and the Japanese population increased greatly.

The exclusion measure is in harmony with our century-old naturalization law which, with its amendment, permits grant of naturalization only to "free white persons and persons of African nativity"; and with the policy of excluding unassimilable elements from our population when their numbers became menacing.

JAPAN'S RECORD IN IMMIGRATION

If we grant quota to Japan she will merely regard it as a proof of weakness and will continue to make further demands. She has said through various spokesmen that quota alone will not satisfy; that she must have "racial equality"; and racial equality in this matter means that she will surely demand in the future entrance for as many of her people as may be admitted from Canada or any first-class nation of Europe. The experience of various countries of the world with Japanese immigration in the past proves that the United States is following the wisest course in this matter.

Up to 1885 Japan did not allow her people to leave the country. In 1891 she commenced to send out emigrants for settlement in favorable lands and by 1900, with the aid of "emigration associations," and money appropriated by the Government, was shipping them out in thousands.[5] Australia and the west coast of the United States became alarmed at the menace offered by the entrance of large numbers of aliens who did not assimilate with the basic population. Australia, warned by the experience of Queensland, refused Japan's plea for a "gentlemen's agreement," and promptly enacted a law which used the so-called education test to exclude arbitrarily any objectionable immigrants, in accordance with her strict "White Australia" policy. Japan protested that law as insulting, but she finally accepted it and has since found it no bar to friendly relations.[6] Australia's Japanese population steadily decreased and in 1920 was only 5,261.[7]

New Zealand and South Africa also excluded by law similar to Australia's.

In 1906 Canada negotiated a secret gentlemen's agreement with Japan, providing for entrance under Japan's passport of only 400 immigrants annually; but that number increased each year until in 1920 it had reached 1,178. British Columbia protested continuously and finally in 1928 the number to be admitted was reduced; but Japan still controls the issuing of passports. British Columbia continues to fight for complete exclusion.

THE TWO GENTLEMEN'S AGREEMENTS

In 1900 Japan agreed with the United States that it was desirable to keep her laborers out of this country. But she asked that exclusion be accomplished by allowing her to control the issuing of passports. This was the first gentlemen's agreement, entered into in August 1900.

But by 1907 such a flood of Japanese had been pouring in, in violation of that Agreement[8] that President Theodore Roosevelt made a second one with Japan in an attempt to settle the question without humiliating her. The terms of this agreement provided that if it failed of its twofold purpose of excluding Japanese laborers and preventing increase of Japanese population in continental United States it would be replaced by an exclusion law.[9] In addition the President, under congressional authority, forbade entrance into continental United States of Japanese or other ineligibles coming with Japan's passport through Hawaii or any foreign country; and in 1911 the Senate refused to approve the Treaty of Commerce and Navigation with Japan until the Japanese Ambassador, in a footnote thereto, guaranteed that his government would live up to the terms of the agreement as to exclusion of laborers.[10]

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[5] According to U. S. Census, Japanese population in continental United States was, in 1880, 148; 1890, 2,039; 1900, 24,326; 1910, 72,157; 1920, 111,010. The actual population in 1920 was approximately 150,000—in California 100,000 and in other States 50,000. See Senate Committee Hearings, March 1924, pp. 20, 25; 164, 165.

[6] "Racial Discrimination in the Attitude of Australia Towards the Japanese," Cyril Wynne—Widener Library, Harvard University; also Queensland Parliamentary Papers A-5, 1899, and A-56, 1901.

[7] Japanese Yearbook, 1923, pp. 45, 46.

[8] "Theodore Roosevelt and the Japanese American Crises," Bailey, p. 2.

[9] Roosevelt's telegram to California Legislature, February 9, 1909: his autobiography, pp. 411–414; correspondence with William Kent—Senate Immigration Committee Hearing, March 1924, pp. 12–16.

[10] Senate Immigration Committee Hearings, March 1924, p. 15; Y. Uchida, February 24, 1911, p. 245 of "Percentage Plan for Restriction of Immigration." House Immigration Committee Hearings, 1919.

Notwithstanding all of these precautions, the terms of the agreement were openly violated after President Roosevelt left office, by entrance of laborers (so-called in ships' manifests) and picture and kankodan (excursion) brides. These brides served the double purpose of field laborers and mothers of families averaging five children each.[11] Thus the Japanese population increased rapidly. It developed also that the agreement, being neither law nor treaty, had no standing in our courts,[12] and could not therefore be enforced under our laws. The Federal Government in Washington paid no attention to repeated protest from the Pacific coast against this alarming situation; and certain States sought to protect themselves against peaceful penetration of Japanese by passage of alien land laws.

JAPAN'S POLICY FORCES CONGRESSIONAL ACTION

In California the Japanese established a state within a State. Every Japanese, whether alien or American citizen, was forced to register in a minor association, subject to control of the Japanese Association of America, which in turn acted under direction of the Consul General of Japan, and to obey the orders of Japan.[13]

In 1915 the Federal Council of the Churches of Christ in America, hoping thereby to win Japan to Christianity, promised to obtain immigration and naturalization privileges for her nationals in the United States. A campaign was organized by the Council for this purpose and in 1919 two bills therefor were actively advocated in congressional committee hearings.[14]

In 1920 there were over three times more Japanese in the United States, including Hawaii, than in all other countries of the world combined, outside of Asia.[14a]

The Nation became aroused and demanded that the agreement be ended and the Japanese excluded by law, as other Asiatics were excluded. Extensive hearings were held before the congressional committees in 1919 and the following years, and in 1924 Congress included in the Immigration Restriction Act the provision excluding aliens ineligible to citizenship for permanent residence but granting to them the courtesy of entrance for students, merchants, travelers, diplomats, and all others of the nonquota classes, as granted all nationalities.

Enactment of the exclusion measure was not the unexpected and undeserved blow to Japan's national pride she claims. It was the result of 24 years of evasion by her of her agreement to keep Japanese laborers out of the United States.

In the final hearing before the Senate Immigration Committee in March 1924 Japan's cause was presented by the Federal Council of the Churches of Christ in America, under direction of Dr. Sidney L. Gulick, born in the Orient, a missionary professor in a Japanese university, on leave to propagandize Japan's cause in this country.[15] California's case for exclusion was presented for the California Joint Immigration Committee under authority of its then four constituting State bodies—American Legion, Federation of Labor, Grange, and Native Sons of the Golden West—by Hon. U. S. Webb, State attorney general of California; Hon. James D. Phelan, former United States Senator from California; and V. S. McClatchy.

Enforcement of the exclusion law stopped further entrance of Japanese for permanent settlement, and in consequence Japanese births in California alone dropped from 5,015 in 1923 to 1,448 in 1936. Anti-Japanese agitation disappeared gradually when the question was settled.

JAPAN'S ACTIVITIES SINCE 1924

In other countries outside of Asia which failed to take precautionary measures, the Japanese population rapidly increased after 1920, until in 1934 their combined population was nearly as great as that contained in the United States, 304,670.[16]

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[11] House Immigration Committee Report No. 350, March 24, 1924: "The purpose of the agreement * * * as explained by Roosevelt, has not been carried out * * *. The Japanese population of continental United States has very materially increased * * * thousands of Japanese women have come in as laborers, designated on the manifests and in the reports as such, and have performed the double duty of field laborers and mothers of families averaging five children."

[12] Letter Secretary of State Hughes to House Immigration Committee, August 16, 1921, in "Labor Problems in Hawaii," House Immigration Committee Hearing, 67th Cong., pt. 2, p. 928. Also decision Judge M. T. Dooling, U. S. District Court, San Francisco, Calif., case of M. Nakao, May 1916.

[13] "Japan's Secret Policy," Senate Doc. No. 55, 1921, p. 63.

[14] "Quota or Exclusion for Japanese Immigrants?" cited, p. 313 and footnote. House Immigration Committee Hearings, 1919, 1920, 1922; Senate Committee Hearings, March 1924. "Japanese Conquest of American Opinion," Flowers.

[14a] Japanese Yearbook, 1923, p. 45, 46.

[15] "Japanese Conquest of American Opinion," Flowers, pp. 78, 88.

[16] Japanese Census 1934, quoted San Francisco Japanese-American News, April 26, 1937.

Brazil, Peru, and other countries of South America have recently sought by restriction and exclusion to guard against the danger of Japanese penetration.[17] Japan protested vigorously when Brazil placed her immigration under quota, claiming hurt national pride, yet she demands that privilege of quota from the United States as the only thing that will heal the wound inflicted upon that pride by passage of the exclusion measure.

Since 1924 Japan has tried steadily, but without success, to change American public opinion with regard to the exclusion law. After an elaborate campaign for that purpose from 1930 to 1934 by church, commercial, and idealistic groups, the congressional delegations from the three Pacific Coast States sent a letter to President Franklin D. Roosevelt, declaring themselves, in behalf of their respective States; as unalterably opposed to any modification of the existing law. In January 1933 the members of the Commonwealth Club of California, after reading the report of a year's investigation by its immigration section, voted by large majorities against any form of immigration quota for Japan.[18] Since January 1934 there has been no reference to this subject either on the floor or in committee of either House of Congress.

Japan's efforts did not cease then, however. Within the past 3 years published statistics show that in Hawaii two-thirds of the American citizens of Japanese ancestry, and even of those registered as voters, have failed to expatriate themselves from Japan, though free to do so under Japanese law, enacted in 1924. Thus they are citizens of both countries, owing allegiance to the United States, but also bound to obey Japan's orders in peace and war. This dual citizenship is most undesirable from the American standpoint. Similar conditions exist in California—though statistics on the subject cannot be had. * * * In Hawaii, now demanding statehood, two-thirds of the population is Asiatic and 40 percent Japanese; and the largest group of registered voters is Japanese.[19]

The Japanese American Citizens League in California has pledged its members to solidarity—the use of their citizenship and voting strength for the benefit of Japanese generally, aliens as well as American citizens. As part of that policy, admission of Japanese relatives from Japan and naturalizing of alien Japanese resident in the United States are urged. Grant of such privileges would in effect repeal the exclusion measure and force abandonment of its basic principle. Representatives of the league have appeared before the State Legislature of California in an attempt to block measures pertaining to fishing by aliens, which were for the best interest of the State. Oregon and Washington have long had such laws.

It has been the custom among alien Japanese in this country to send their young children to Japan to be trained there through youth to maturity in the duties and loyalty of Japanese citizenship. They are known as Kibei Shimin (there are 50,000 now in Japan), and the Japanese Foreign Office has recently urged their return to California and other Pacific Coast States where their American citizenship can be of most service to Japan. These Kibei Shimin are received into full membership by the Japanese American Citizens League[20] even though they are practically alien Japanese.

That the Japanese do not and cannot assimilate with our population is proved by the fact that even those born and educated here complain of the difficulty they experience in finding and holding good jobs, locating residence in desirable neighborhoods and entering public places of amusement and recreation. Further immigration of alien Japanese would only perpetuate these conditions.

In accordance with a plan announced by the Society for International Cultural Relations in the Japan Times and Mail of December 4, 1934,[21] Japanese propaganda has been introduced into the schools of California and Hawaii. Withdrawal of certain textbooks has been forced because they contained misrepresentation in Japan's interest of the facts concerning Japanese immigration and current events in Asia.[22]

WHAT SHALL OUR ANSWER BE?

Apparently Japan believes the time is now ripe for a final drive to force entrance for her immigration into the largest English-speaking nation of the world; hence the present demand for the necessary change in our laws to serve her purpose. Japan's complaint, if she has any in this matter, is not against the exclusion measure, which is not discriminatory, but against our century-old naturalization law, which created a basic barrier against admission of races other than white and black, and against our policy of excluding unassimilable elements from our population. But it would seem that no nation has the right to protest against application to herself of a policy established before mutual contact had taken place. And Japan herself excludes Korean and Chinese laborers, who are of her own color, by Imperial Order No. 352.

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[17] A. P. story, April 26, 1937; editorial Washington Star, April 28, 1937.

[18] C. J. I. C. Doc. No. 312.

[19] C. J. I. C. Doc. No. 451; Letter Governor Poindexter to C. J. I. C. February 10, 1936; Honolulu Advertiser, August 10, 1935.

[20] Osaka Mainichi, March 19, 1937; C. J. I. C. Doc. No. 506.

[21] C. J. I. C. Doc. No. 409.

[22] C. J. I. C. Docs. Nos. 458, 459, 476, 501.

As between Japanese and Caucasians there does not arise, and has not been suggested, any question of racial superiority. Both races are so strong in characteristics that make for racial dominance but at the same time so dissimilar that absorption of the one by the other is out of the question. The attempt to assimilate the two in the land of either is, as frankly stated by President Theodore Roosevelt, Japan's consistent friend, certain to provoke disaster. Japan, many years ago, after determined protest, accepted the decision of three British Dominions to exclude her emigrants. She has permitted herself to be misled here by the counsel of certain American influences, some not disinterested and others manifestly misinformed as to the facts, into believing that she may eventually receive the concessions she demands. The American Nation cannot permit its permanent welfare to be jeopardized by conceding a demand which, aside from its assumption of the right to dictate to a friendly power in a matter of domestic policy, has no foundation in fact or in justice. If the exclusion measure, with its basic principle, is ever abandoned it may never be recalled.

EXHIBIT C

The following statement on the Japanese citizenship situation is issued by the California Joint Immigration Committee, composed of representatives of the American Legion, California State Federation of Labor, Native Sons, and California Grange:

The California Joint Immigration Committee recognizes the existence of the following facts and conditions:

That the United States of America is at war with the Empire of Japan.

That the Pacific Coast States are in a combat zone and are now in danger.

That there are Japanese residing in the Pacific Coast States of which approximately 93,717 reside in California, and of this number 33,569 are alien Japanese; that the remainder by reason of birth are citizens of the United States, but of this number 25,177 are also citizens of Japan, and about 25 percent of those born in the United States have relinquished their Japanese citizenship.

That Japanese residents of the Hawaiian Islands furnished information that made possible the success of the attack on Pearl Harbor.

That more than 25,000 United States citizens of Japanese parentage have been educated in schools in Japan, many of whom now reside in the Pacific Coast States; that other United States citizens born in this country of Japanese parents have been educated in Japanese language schools sponsored and supported by the Government of Japan in this country, and that many of these citizens are not loyal to the Government of the United States or its institutions.

That it is true that about 25 percent of the Japanese citizens residing in California have renounced their Japanese citizenship, but experience has demonstrated that such renunciation cannot be accepted as proof of their loyalty to the United States while the two countries are at war.

That though it is recognized that some of the Japanese citizens are entirely loyal to this country and her institutions, it is impossible now with required certainity to separate the loyal from the disloyal. While we recognize the misfortune and hardship that the loyal citizens may suffer, these are conditions which must be borne by the individual rather than that the welfare of the nation be endangered.

That the presence of people in the combat zone whose loyalty is in doubt should not be tolerated, lest the welfare of the nation be imperiled.

That civil rights and liberties of all persons within the United States is recognized and must be protected in all proper ways and at all times, but in time of war, the civil rights and liberties of the individual must yield to the common good.

Pearl Harbor has caused a quickening effort in the production of war material but with Japanese in, around, and within reach of every productive energy, it is idle to cry: "Remember Pearl Harbor."

Neither fear, timidity nor cost should delay action.

Japanese should be removed now!

In recognition of the foregoing facts, It is

Resolved, That the entire Pacific coast to such extend landward as may be required to insure safety should be declared a combat zone; and be it further

Resolved, That the Japanese, including Japanese citizens of the United States, be removed as quickly as possible from said zone; and be it further

Resolved, That where like dangers exist in the interior, other combat zones be established and like removals made therefrom; and be it further

Resolved, That all civil authorities of the State aid Federal authorities to such extent as Federal authorities may request.

James K. Fisk, *Chairman*,
H. J. McClatchy, *Executive Secretary*.

San Francisco, Calif., *February 13, 1942*.

Exhibit D.—California Joint Immigration Committee, San Francisco, Calif.

DANGERS CREATED BY JAPANESE DUAL CITIZENSHIP

A serious problem exists, particularly in Hawaii and California, because most of the Japanese born under the American flag and exercising the right of American citizenship still elect to retain Japanese citizenship with its obligations, although they are now free to expatriate. It is charged that many of these dual citizens would use their American citizenship under direction or influence to further the purposes of Japan.

As late as the early 1920's, Japan maintained in California a state within a State in which every Japanese, whether alien or native-born American citizen, was under orders of Japan, in peace and in war. He was forced to belong to a local association subject to the Japanese Association of America and all under control of the consul general of Japan at San Francisco (S. Doc. No. 55, 1921, p. 63; also Japanese Immigration and Colonization, V. S. McClatchy, 1921, secs. 196 to 218).

Publication of the facts and the passage in 1924 of that provision of the Immigration Restriction Act excluding as immigrants all aliens ineligible to American citizenship induced Japan to put into operation on December 1, 1924, a new nationality law. Under that law Japanese born in the United States after the date named automatically lost Japanese citizenship unless within 14 days they were registered at the Japanese consulate. The law further provided that those so registered, as well as those born here before December 1924, could renounce Japanese citizenship by declaration at the Japanese consulate after reaching their twentieth year.

Under that system it was assumed that dual citizenship would disappear if the Japanese themselves really desired to renounce all obligations to Japan as the price for American citizenship. The records prove, however, that various factors, including the insistence of the first generation, the pull of heredity, the Japanese law of family, the teachings of alien Buddhist instructors in the Japanese language schools, and the encouraged study of "Japanese culture," tend to nullify the purpose of the law. In Hawaii, for instance, "the total number of American citizens of Japanese ancestry who had relinquished Japanese citizenship was, as of June 30, 1934, 34,270, approximately 33 percent of those eligible for expatriation." Of that number 28,459 are Japanese born since December 1, 1924, who lost Japanese citizenship automatically at birth under the terms of the law; 5,811 is the total number of those who lost Japanese citizenship by formal declaration at the consulate after reaching the age of 20 years (letter of Gov. Joseph Poindexter to California Joint Immigration Committee, February 15, 1936). In other words, two-thirds of the Hawaiian-born Japanese still retain their Japanese citizenship with all obligations thereof. That situation is attracting special attention because the Territory is now asking for Statehood, and the Japanese who constitute 38 percent of the total population have already passed every other racial group in the number of registered voters.

In California it must be assumed that conditions as to dual citizenship are somewhat similar, although the figures are not available because the consulate general at San Francisco no longer keeps statistics of such matters, as was formerly done (letter Shuh Tomii, consul general of Japan at San Francisco, December 19, 1935).

The following facts in connection with the California situation are of interest: The Japanese American Citizens League, a powerful organization with approximately 50 chapters in the Pacific States, has for its main proclaimed purpose the training of American-born Japanese so that they may properly discharge their obligations as American citizens. The league admits to membership without question, however, all Japanese born under our flag, many if not most of whom, it would seem, still retain Japanese citizenship. It even admits the Kibei Shimin, Japanese born here and sent in early childhood to Japan and there brought up to manhood and womanhood as Japanese citizens. They are, to all intents and purposes when they return here, alien Japanese immigrants who have the privileges of American citizenship. Japanese authorities place the total number of Kibei Shimin at between 40,000 and 50.000 and say they are returning now at the rate of 1,000 per year. The Japanese Association of America is planning to bring back at once to California all the Kibei Shimin still in Japan who will come.

Exhibit E.—California Joint Immigration Committee

(Copy of report prepared at the request of the Dies Committee, House of Representatives, on Japanese problems and propaganda)

The 150,000 Japanese in continental United States form one of the country's most foreign-minded racial groups. The native-born among them are American citizens, but they are dominated by their ineligible alien parents, whose patriotism for Japan and its emperor, whom they worship as a god, is almost fanatical. Because of this domination and their strongly Japanese racial characteristics, these American-born Japanese are not assimilated into the social structure of this country.

Japanese immigrants have never been welcome here because of their aggressiveness, unassimilability, and low living standards. In 1892 the first unsuccessful attempt was made to keep them out of San Francisco, and soon so many coolie laborers were coming that there was much agitation for an exclusion law similar to that barring the Chinese. Congress was unsympathetic, but Japan, fearing the stigma of an exclusion law because 12,000 Japanese came in in 1 year, agreed in 1900 to keep her laborers out of continental United States. This was the first gentlemen's agreement.

In violation of this agreement, from 1901 to 1908, inclusive, 51,689 Japanese, most of whom were or became laborers, entered. California continued to protest, and in 1907 President Theodore Roosevelt, to save Japan's pride, negotiated another gentlemen's agreement, the details of which were secret, although it was announced that Japan had again agreed not to send laborers to continental United States.

This agreement was also violated, and the American courts were powerless to enforce its terms, since it was neither law nor treaty. Between 1909, when it went into effect, and 1924, when the agreement was terminated, the Japanese population of continental United States increased from 76,714 to 131,357. Prolific picture brides contributed to this increase, each family averaging five children.

The Japanese quickly acquired land, not being content to work as day laborers, and frequently depleted it. Women and children worked with the men, and this sort of competition helped to drive out the Caucasian population, notably in certain communities in the Sacramento Valley. The Japanese were assertive, antagonistic, and not too honest.

Failing to get relief from Congress, California in 1913 enacted an alien land law, prohibiting aliens ineligible to citizenship from purchasing land or leasing agricultural land. The Japanese circumvented this law in a measure by operating in the names of their American children. The agricultural communities of California seemed overrun with Japanese. Feeling against them ran high, but there was little violence. The other Pacific Coast States had the same problem, in a lesser degree.

In 1924 California and her neighboring States made such a convincing presentation of their Japanese problem to Congress that the exclusion measure, barring aliens ineligible to citizenship as permanent residents, was included in the Immigration Restriction Act. The fight was a hard one, for Japan had enlisted many friends to her cause—church people, idealists, foreign traders, employers of cheap labor, and uninformed Government officials.

Japan protested against the measure, claiming discrimination and hurt national pride. She has even claimed that because we have thus insulted her she is avenging herself by her present predatory course in Asia and will close the door to us in China unless we open our door. This attitude overlooks the fact that the open door of trade in China is guaranteed by international treaty, while immigration is a purely domestic matter. But Japan brought exclusion on herself by 24 years of evasion of the spirit and letter of two agreements not to send her laborers to the United States.

A number of extensive campaigns to break down the exclusion measure have been inaugurated during the years since 1924, but each has failed. Japan has spent much money on these campaigns, and has even attempted to propagandize in our schools through a textbook giving an erroneous statement of the exclusion problem. This book was written in Hawaii under the joint auspices of the Territorial Board of Education, the Institute of Pacific Relations, and the Japanese Government, and introduced into the schools there. After protest it was rewritten, but because of serious omissions leaves much to be desired as an authentic textbook.

The Japanese have been disliked and distrusted wherever they have migrated. Australia excluded them summarily and even contemptuously in 1900, but because of that firm attitude they have long since ceased to protest. Today there are less than 2,500 Japanese in the Commonwealth. Canada wanted to exclude them but was induced to accept a gentlemen's agreement, which has been violated since its inception, and British Columbia's long protests are now culminating in a demand for deportation of all Japanese. Canada does not grant the franchise to orientals, nor does she accept them for military duty. Several South American countries, notably Brazil and Peru, have had trouble with the Japanese, and even South Africa excludes them.

Although no more are coming in, there are still many alien Japanese in California, living a typically Japanese life and controlling in large measure, by tremendous industry, skill and incredibly low living standards, the fruit, berry, and vegetable industry of the State. This control of much of our food supply is disquieting, as they are distrusted. The Tanaka memorial calls for control of the food supply of desirable localities.

But the main problem now is the second generation Japanese, or Nisei, of whom there are more than 50,000 in California. They apparently want to be part of the social structure but are not welcome because of their too evident racial characteristics. They complain constantly of racial discrimination, but their plight is the direct result of their parents forcing themselves unwanted on this country. They are splendid people in many ways, good students and workers, but they are "Americans with Japanese faces." They cannot find work except among their own kind, and while intermarriage is forbidden in California, they really do not desire it, considering it an insult to the pride and glory of the Yamato race. Even in Hawaii there is little intermarriage between the Japanese and other races, particularly the Caucasian. They must live in segregated districts, which they resent, but are accepted on equal terms into the Army, where most of them seem quite happy.

These conditions, while unfortunate, are the result of the determination of the Caucasians to keep their country and their blood white, and involves no claim of superiority. Our laws against which the Japanese protest were enacted to keep out immigrants who cannot be absorbed into the lifeblood of the country, and who form unassimilated racial blocs. The Founding Fathers of the Republic stipulated that citizenship should be granted only to free white persons. But a grave mistake was made when citizenship was granted to all born here, regardless of fitness or desire for such citizenship. Another grave mistake was the granting of citizenship to the Negroes after the Civil War.

One of the greatest handicaps which the Nisei must fight is the possessive attitude of Japan. Koki Hirota, former foreign minister, said in 1938 that the Japanese in America must be educated as Japanese to retain their Japanese virtues, and that the Migration Association of Japan keeps close connection with them for that purpose. More than 60 percent of their number are citizens of both Japan and the United States because they were registered as Japanese at birth and have not expatriated, although free to do so under Japanese law. Much publicity has been given to expatriation campaigns, and there is much public affirming of allegiance to the United States and much flag waving, but no official expatriation figures are forthcoming or available. American official sources say there is little actual expatriation. Japanese births are still being registered at the consulate. Loss of family standing and inheritance in Japan are the chief reasons given for lack of expatriation, but how much property in Japan did coolie immigrants leave behind?

Japanese consuls and visiting dignitaries play a large part in the life of the Nisei, who are constantly being advised by them to be "good Americans." Even Matsuoka, educated in the United States but hating it, has advised this.

The influence of the Japanese language schools may be responsible for many of the troubles of the Nisei. There are 248 of these alien-controlled schools in California, teaching about 18,000 children the culture and emperor worship of Japan daily after public-school hours. In 1939 these schools cost the Japanese $398,000. Textbooks printed in Japan, superseding those approved by the California State Board of Education, and teaching patriotism to Japan and emperor worship, were used in these schools until the Japanese learned the fact was known, when they were stacked away and the approved books again used. This occurred on February 14, 1941. An attempt was made by the California Joint Immigration Committee to have the recent California Legislature enact a law prohibiting the teaching in language schools of allegiance to a foreign government, but the Japanese lobby, much in evidence, was apparently successful in having the bill killed.

This Japanese lobby was able to defeat a measure in the 1939 California Legislature to curb espionage activities of Japanese fishermen in southern California. The F. B. I. questioned the source of the large sum of money spent in that fight. The activities of these fishermen have been too persistently exposed to be mere fiction.

Walter Tsukamoto, former national president of the Japanese American Citizens League, a Sacramento attorney and United States Army Reserve officer, is the guiding spirit of the Japanese lobby in the State legislature. In 1940 he received an award from the Japanese Young People's Society of Chicago as "the Nisei of the year" for his activities in helping to defeat the afore-mentioned fishing bill.

The Nisei are urged by their leaders to be active in American politics and to use their bloc of 25,600 California votes for the benefit of the Japanese, alien as well as native born. They are even urged to join with the Negroes to make a sizable bloc which may swing an election, or break down the laws which Americans have enacted for their own protection and welfare. They have been very active recently in entertaining publicly newspapermen and politicians, getting the latter to bestow their trophies and laud them for their "Americanism"—25,600 is a large number of votes.

Study trips to Japan for young Nisei are financed by the Japanese Government. One such party leaves early in July. A 3-months trip costs $190. This goes on each year, and the returning children frequently engage in lecture tours to spread the word about the wonders of Japan among their fellows. Entrance examinations in Japanese universities are eased for Nisei wishing to study there, and money for the purpose is loaned to them by the Japanese Government. Some are trained to propagandize in this country.

Many American-born children are sent to Japan in early childhood for education, and when they return are practically alien Japanese, frequently speaking no English. There were about 50,000 of these Kibei Shimin in Japan until recently, when the passage of the 1940 American nationality law, presuming expatriation of those who have been in the country of their parents for more than 6 months was passed. To avoid losing their American citizenship under this law many of them are scurrying back before the deadline in the middle of July. After that time they will be in grave danger of losing it.

The California Joint Immigration Committee is maintained primarily to protect the exclusion measure against repeal or modification and notify the public in regard thereto. It contends that these unfortunate and highly undesirable conditions are proof of the unassimilability of the Japanese and the necessity of their exclusion as permanent residents. All Japanese, both here and in Japan, are constantly agitating for immigration quota, claiming that the number that could enter thereunder (185 annually) would be negligible. But added to that basic quota would be all those coming in under nonquota classification—visitors, students, ministers, diplomats, businessmen, and particularly alien wives for American-born Japanese (much desired). These wives would become the mothers of large, unassimilable families, and so the Japanese problem would be aggravated and perpetuated. Quota would also necessarily be extended to all other oriental countries, bringing the annual immigration from the Orient to well over 1,000. The basic principle of exclusion of those ineligible to citizenship must not be destroyed or weakened, either by grant of quota or by grant of naturalization to the colored races of Asia.

Dorothy Kaltenbach, *Secretary,*
California Joint Immigration Committee,
San Francisco, Calif.

The Chairman. No. Thank you very much. We have another witness.

Mr. Strobel.

TESTIMONY OF H. L. STROBEL, FARMER, MONTEREY COUNTY, CALIF.

The Chairman. State your name and capacity, please.

Mr. Strobel. H. L. Strobel, farmer from Monterey County.

The Chairman. Mr. Strobel, in which capacity do you appear? Do you represent the Associated Farmers?

Mr. Strobel. Not in this particular instance, sir. I think I represent the vegetable interests in Monterey County more than any other particular group.

The Chairman. Proceed, Mr. Strobel.

Mr. Strobel. Mr. Chairman: I think that a great deal has been said here today regarding the participation of the Japanese in the production of fruits and vegetables. I am primarily interested in dispelling some of the misinformation that has apparently gone throughout the Nation.

Much has been said, that if the Japanese were removed from the California area or from their farming occupations in California, it might result in a serious shortage of necessary vegetables for the rest of the Nation. I think that I can make a statement to the contrary without fear of being contradicted.

I believe that the American farmers, or the farmers of California, are entirely capable, and with the land now occupied by Japanese, will produce in just as large a quantity the vegetables that have been formerly produced by the Japanese in our farming areas. I think the rest of the Nation need have no fear as to the amount of vegetables that will come from California. There will be no appreciable lessening of the flow to the eastern markets and to those canning and processing agencies which have formerly carried on their operations with some Japanese production.

OPPOSES UNDIRECTED RESETTLEMENT OF JAPANESE

I might say that many of us have been concerned with the Japanese problem. I think, without taking anything else into consideration, that we must realize that we are at war now and that there is a very serious problem, as has been stressed by speaker after speaker here, in maintaining the status of the Japanese as it is at the present time, where they have freedom of access throughout our entire State and are not confined, you might say, to the areas of the State of California. They are free to roam around more or less. It is impossible to maintain any vigilance over all of their activities and their actions and many of them are constantly moving from one place to another.

I do not agree with some of the speakers or some of the farmer speakers who say that the mere removal of the Japanese from California would, perhaps, serve the end that we seek. I think that it would be a mistake to evacuate the Japanese from California, and then turn them loose without any supervision of their activities in some other location or some other State. I feel that that would merely make a harder job then ever for the military authorities to try to follow the movement of those Japanese throughout the many different areas that they might be resettled in if there was no proper supervision of their movements and their activities.

RETENTION OF ALIENS IN CALIFORNIA

We have had some recommendations that these people be moved into the Mountain States where they might work in the beet harvest and other types of agricultural produce. I notice that in some of the suggested States opposition is now arising as to the removal of the Japanese to those particular points. As a personal observation I feel that, perhaps, we are entitled to kill our own snake, so to speak, and if there are areas within the State of California which are acceptable to the military authorities where these people might be evacuated, and for their own protection where they might be put under restraint of one kind or another with the proper supervision of the military authorities, or whatever authorities they might designate to do that job, and that if these people were maintained in these particular localities, their services could be utilized under proper supervision. They might be taken out to work, if they desired to work, in the morning, and be brought back at night. Their labor could be utilized, and I think that that would, perhaps, be as good a solution of this problem as any you might offer.

Of course, we all must realize that the military authority has the power to move these people to any place which they deem safe and necessary. I don't think that any of us have any right to oppose the removal of these Japanese, no matter where they are being moved, if it is the judgment of the Navy or the Army or the military authorities so charged that their removal to these particular areas constitutes a method of safety for the balance of the country.

I think that we, perhaps, very often take our own particular problems into consideration too much. I have heard a great deal of stress laid here before this committee on the hardships that might be visited upon certain aliens by evacuating them from one area to another area, or by removing them.

I want to call the committee's attention to the fact that many of our own citizens are being inconvenienced, many of our small businessmen are going out of business owing to the war effort and due to the fact that materials they formerly dealt in and that are necessary to maintain their business life are now being given priorities as far as the Army and Navy are concerned. Those men are going out of business. Many inconveniences are being visited upon our own citizens. So I do not feel at this time it works any great hardship upon a group of aliens to have their activities supervised, and in the interest of safety of our own country have them removed from one point to another.

CANNING-TOMATO SITUATION

I would like to say in connection with some of the figures that you read, the participation of the Japanese in the production of fruits and vegetables in California has been overemphasized to a very great extent, with the possible exception of canning tomatoes. The canning-tomato situation is indeed a serious one, and upon the most authoritative figures that we have been able to obtain we arrived at the conclusion that Japanese are growing somewhere in the neighborhood of 45 to 60 percent of the canning tomatoes that are canned in the State of California. Now, it does not necessarily mean that if the Japanese are removed from the occupations that they are now engaged in that this 60,000 acres of tomatoes, or any appreciable part of it, will not be produced. The only thing that might stand in the way of many American farmers taking over this acreage, or as much of it as is necessary, that they are not now producing, would be the ability of the processors, or some agency to furnish them with tomato plants.

I don't know whether you gentlemen are familiar with the growing of tomatoes or not but sometime around the 1st of February hot beds are set out, or plants are planted in hot beds, and these plants are maintained and kept there until sometime around the middle of April, or whatever time the weather breaks, and then these plants are transplanted.

Now, we can't go out overnight and say to the canning industry that we will get an acreage pledged by American farmers to take up the acreage that is vacated by the Japanese unless the tomato plants are available. I believe if the tomato plants are available that we can go out to our American farmers and from a patriotic standpoint, if nothing else, get them to take up any part of the acreage that the canners deem sufficient or deem necessary to maintain California's position in the production of canned tomatoes.

CALIFORNIA FARMERS WILL PLANT MORE TOMATOES

In checking on this particular phase, we called a man who was formerly a produce grower in Monterey County, who is now located in Kern County. We discussed this situation with him over the telephone and asked him to what extent tomatoes were produced in the Kern County area for canning. He didn't have a great deal of information on it at that particular time, but he called us back about a week later and said that he had gone out and talked to some one of the canning producers who operated in that particular area, and that he himself was increasing his tomato acreage to 500 acres; that he was going to produce enough plants, provided he could get the necessary seed, that would take care of some 2,000 acres for that particular processor in that area. He would endeavor to secure—and I understand now that he has secured—the sign-up of other American farmers of approximately 2,000 acres of tomatoes in that particular area.

Now, that is 2,000 acres of tomatoes that have not been grown in past years. That is an entirely new acreage. It is an acreage that follows some of the new potato acreage, and some of the land that the farmers of Kern County are utilizing in this defense picture.

So I feel that the part that the Japanese played in the production of fruits and vegetables has been very much overemphasized and that the American farmer can and will take up wherever they leave off.

TAKING OVER JAPANESE FARMS

Much has been said here about the method of taking over and taking care of the property of these people who are evacuated. We have two or three exchanges of leases and property in Monterey County. I talked to one of the men yesterday who was a party to one of the deals. This Japanese had certain land that was leased and he had certain crops that had been planted. Certain operations had already been performed, and he had machinery. They got the two largest implement dealers in Monterey County to act as a board of appraisers. They went down to this Japanese ranch. Separately they arrived at an evaluation of the machinery that the Japanese owned. Their figures were taken together. Where there was a discrepancy they were arbitrated and put into shape where all parties were satisfied. An appraisal of the amount of work and fertilizer and other things that the Japanese had invested in the process of growing this particular crop were taken into consideration and he was remunerated for his interest in his particular crop, his lands and machinery on the basis of what this so-called informal board arrived at, and I believe that everybody was satisfied. The Japanese was satisfied that he had gotten a fair deal. The other people were satisfied that they had performed their obligations to the Japanese.

I do not think it is the intent of anyone in California to take any advantage of or exploit the Japanese in their evacuation of lands or vocations that they might now occupy. But it is necessary that this problem be met.

I think it has also been touched upon here today that many of these Japanese farmed and controlled large areas of land, large acreages, and that they have to hire of necessity the same labor that the white farmers in that particular occupation or area use.

FILIPINOS REFUSE TO WORK ON JAPANESE FARMS

Now, the Filipinos have had numerous meetings, and I think this committee is familiar with the fact that some of these Filipino organizations have gone on record that they will no longer work for Japanese or on Japanese-controlled acreages, which makes it almost impossible for some of these Japanese to continue their occupation and the production of vegetables and other crops on the land that they now occupy. Any of the services that are now performed by the Japanese I feel certainly can be performed by the American farmers, or the native California farmers without any let-down in the amount of production that the Nation might need in this time of stress.

Mr. Sparkman. What about fresh vegetables?

Mr. Strobel. Fresh vegetables?

Mr. Sparkman. Yes.

VEGETABLE PRODUCTION

Mr. Strobel. I would say that the Japanese produce, as a whole, somewhere between 8 and 12 percent of the vegetables that are produced in California.

Now, those figures would not be applicable to California as a State because in certain localities the Japanese produce a much greater percentage of the fresh fruits and vegetables such as, we will say, in the Santa Maria Valley, than they do, perhaps, in other locations.

Now, in our particular area I believe it is safe to say that the Japanese produce somewhere between 10 and 12 percent of the fresh vegetables that are shipped out of Monterey County. That includes San Benito and Watsonville because that whole area is included in one shipping area. There would be other localities where there would be practically no Japanese farmers, so the larger percentage that exists in one is offset by the lesser percentage in another.

Taking the State as a whole, I believe the fresh fruits and vegetables they produce amount to somewhere between 10 and 12 percent of the total.

Mr. Arnold. Have you been associated with Japanese people in your business or your operations? Have you been pretty closely associated with them?

Mr. Strobel. I know lots of Japanese all throughout the State, and while my business connections with the Japanese have consisted entirely of shipping, handling lettuce for one Japanese, I do know the Japanese because of the nature of the work that I do for farmers.

Mr. Arnold. Is it your opinion that most all the Japanese will have to be included in these aliens who are sent out of this area?

Mr. Strobel. I would say so, yes: because I do not see how the Army or any other agency could do the job that is necessary to be done unless they were all included.

Mr. Arnold. Do you think it is impossible to determine whether or not Japanese aliens and citizens are loyal to this country?

LOYALTY OF JAPANESE CITIZENS QUESTIONED

Mr. Strobel. I would say that it would be almost impossible for any man or for any agency to determine the extent of the loyalty of any Japanese to our country when you take into consideration some of the statements that the gentleman who preceded me on this stand made, when you take into consideration the fact that the Japanese children in my particular area and throughout practically the entire State of California and, perhaps, the United States, as far as I know—I am only familiar with California—attend our schools for a certain time and then they in turn attend a Japanese language school at which, we have from very good authority, they are taught the Japanese customs that are brought down to them from the old country; that the Japanese religion enters into it, and that they have in many cases been taught that the Japanese Emperor is their Emperor, no matter if they, by accident of birth, happen to be born in California or any other part of the world.

Mr. ARNOLD. Their Emperor and their god?

Mr. STROBEL. Yes.

Mr. ARNOLD. They are in a different category from a German or Italian?

Mr. STROBEL. I believe to a certain extent, to a great extent that they are in a different category; yes, sir.

I believe that you have a better opportunity to determine whether a German or an Italian is loyal to this country than you would have with the Japanese. The Japanese have a racial similarity so that is very hard for the average man to note any difference between them when he sees them just occasionally. Unless they are all under restraint you will have no way of knowing who is who and ascertaining unless you stop each and every one of them and by very minute inspection of his permit, or whatever it was, know what he was doing in a particular area.

Mr. ARNOLD. And if the military authorities are forced to evacuate practically all the Japanese it is because of their inability to convince them that they are loyal to this country?

POSITION OF RESETTLEMENT OF JAPANESE

Mr. STROBEL. I think that that would be the case, sir. A word as to those who object to the Japanese being evacuated into their locality. I think that we are adopting a selfish attitude when we say that we don't want the Japanese here or there. I think that wherever the military authorities deem it the best and safest place to put them is the place that they will be put and that they should be put, and that we should cooperate with the military authorities in time of crisis by not placing any undue obstacles in their handling of this situation.

Mr. ARNOLD. You don't think any prejudice should enter in. It should be a case of ability to prove loyalty to this Government of ours?

Mr. STROBEL. I feel that; yes, sir. I think that any citizen during this time of crisis is going to be subjected to more or less, we will say, infringement on his civil rights. I have heard that so much until I am beginning to be a little fed up with it. But nevertheless all of us are going to have to forego certain civil rights that we have enjoyed in peacetime because we are now at war and war is a serious business.

Mr. ARNOLD. That is all.

The CHAIRMAN. Well, thank you very much, Mr. Strobel.

Mr. STROBEL. Thank you, Mr. Chairman, for the opportunity of being heard.

The CHAIRMAN. We appreciate it very much.

Mr. Ayres of the State Grange? (No response.)

Well, the committee will stand recessed until Monday morning at 9:30.

(Whereupon, at 3:45 p. m., the committee adjourned until 9:30 a. m., Monday, February 23, 1942.)

NATIONAL DEFENSE MIGRATION

MONDAY, FEBRUARY 23, 1942

MORNING SESSION

House of Representatives,
Select Committee Investigating
National Defense Migration,
Washington, D. C.

The committee met at 9:40 a. m., in the Post Office Building, San Francisco, Calif., pursuant to notice, Hon. John H. Tolan (chairman) presiding.

Present were Representatives John H. Tolan (chairman), of California; Laurence F. Arnold, of Illinois; and John J. Sparkman, of Alabama.

Also present: Dr. Robert K. Lamb, staff director; John W. Abbott, chief field investigator; Leonard A. Thomas, counsel; and F. P. Weber, economist.

The Chairman. The committee will please come to order.

We would like to have the East Bay panel come forward.

Will you announce your names and your official capacity for the reporter?

Mr. Hassler. John F. Hassler, city manager of Oakland.

Mayor Gaines. Frank S. Gaines, mayor of Berkeley.

Mayor Slavich. John S. Slavich, mayor of Oakland.

Chief Wallman. B. A. Wallman, chief of police of Oakland.

Mr. Johnson. W. J. Johnson, captain of police, Berkeley.

Chief Smith. Verne Smith, chief of police, Alameda.

Mr. Schwanenberg. C. R. Schwanenberg, city manager of Alameda.

Mayor Godfrey. M. C. Godfrey, mayor of Alameda.

Mr. Fisk. Chester C. Fisk, city manager of Berkeley.

The Chairman. I now want to say to you gentlemen that this committee appreciates your coming over here. We are simply a fact-finding body. We are a sort of sounding board of the Congress of the United States, to take back to Congress your facts and your fears and any suggestions or recommendations you have to make. So just treat this hearing this morning as informal.

Who of the panel should talk first as to the East Bay conditions? Mr. Slavich, will you start out first?

Mr. Slavich. Let Mr. Hassler talk first.

The Chairman. All right. Mr. Hassler, Congress knows very little about the East Bay. I think the best way to approach the problem would be to tell us what you have in the East Bay.

TESTIMONY OF JOHN F. HASSLER, CITY MANAGER OF OAKLAND CALIF.

Mr. HASSLER. I feel we are very vulnerable in the East Bay. We have both the naval supply base and the port of embarkation in Oakland. In Alameda we have the naval aviation base, connected by an underpass, as you know, from Alameda to Oakland; all very vulnerable and very exposed. We feel in Oakland, and I know that the mayor and our council feel the same way, that, as regards the alien problem, the great majority of alien Japanese and American citizens descendants of Japanese are loyal to this country. However, we feel that the time has passed for an investigation of each case, and I feel that the loyal Japanese and the loyal aliens could better show their loyalty to this country by leaving the area at the request of the Federal Government.

Certainly when they have left the area each case could be decided on its merits and those who are proved to be loyal could return to their homes.

I have a different feeling as regards the older people who are alien Germans or alien Italians. I feel that a great number of those were unable to obtain citizenship when they came to this country because of lack of education. Many of them are the parents of fine Americans, a great number of whom are serving in the armed forces. I feel that those cases should be investigated fully before any of them are removed from the area.

Oakland, Alameda, Berkeley, and our East Bay cities are in a defense zone. They are subject to raids by the enemy and we should have the protection of the Federal Government.

I don't know of anything else to add to that statement, Congressmen.

The CHAIRMAN. About how many people have you in the East Bay?

Mr. HASSLER. Oh, I imagine we have around 750,000 in Alameda and Contra Costa Counties.

The CHAIRMAN. And what municipalities are there?

Mr. HASSLER. Well, in Alameda County we have Hayward, San Leandro, Oakland, Alameda, Berkeley, Albany, Emeryville, and Piedmont. In Contra Costa County we have Pittsburg, Martinez, Walnut Creek, Orinda, and several other smaller cities. Richmond, of course, is a very vulnerable point.

The CHAIRMAN. Outside of the naval air base at Alameda, the Oakland supply depot and the War Department embarkation improvement there, you have a lot of oil industries, have you not?

DEFENSE PLANTS IN EAST BAY

Mr. HASSLER. We have defense plants, we have shipyards that are employing probably at the present time 40,000 people and that will run up to 75,000 people. We have oil refineries. We have everything that is used in war. We have defense plants throughout the district. We have there probably 150,000 men working in defense projects. I don't know of any part of the country that is more tied up with the defense set-up at the present time than the East Bay cities.

The CHAIRMAN. I hope that you, as well as some of the other witnesses, keep touching on this point. I am very much interested in it. How are they being guarded? Do they have sufficient guards for those different places?

Mr. HASSLER. At the present time we need many more guards to properly safeguard them. We are using our local police forces, which are very small in all the cities, including the larger cities. They are not adequate to protect the civilian population and also the defense plants. Neither the Coast Guard nor the State Guard has put anybody in Oakland on our own defense projects. They are guarding the bridges and some of the naval and army establishments; but there are many others over there that should be guarded.

It shouldn't be a local problem. Cities like Oakland, Alameda, and Berkeley are not financially able to take care of increasing the personnel of the police and fire department without levying taxes at an irregular tax-budgeting time. To put a hundred men on the Oakland police force would cost a quarter of a million dollars, and we could probably use a thousand.

The CHAIRMAN. Of course, you don't mean to give us the impression that while you are short in numbers you are short in efficiency?

Mr. HASSLER. We are not short in numbers for our own needs at all.

The CHAIRMAN. Chief Wallman there is pretty well recognized in this country for his police work.

Mr. HASSLER. I am only talking about the burden that was added because of the war.

The CHAIRMAN. Mayor Gaines, do you have anything to add? Give us a picture of Berkeley. That is what we would like to have.

TESTIMONY OF HON. FRANK S. GAINES, MAYOR OF BERKELEY, CALIF.

Mayor GAINES. Mr. Chairman, in Berkeley we have a number of important defense industries, also important research laboratories having to do with the war effort, located at the University of California. Hence, our position too is quite vulnerable.

The CHAIRMAN. What is the approximate enrollment at the University of California now?

Mayor GAINES. About 14,000 students at the Berkeley campus itself; about 23,000 on the 7 campuses which make up the University of California. But we are conducting important research at the University campus itself, and that is a thing that justifies careful safeguarding.

We have in Berkeley itself approximately 1,500 enemy aliens, including Japanese, Germans, and Italians. Of the 1,500 approximately one-third are Japanese. We have a total Japanese population estimated at approximately 1,300, a great many of whom are native-born American citizens.

THREE CATEGORIES OF ENEMY ALIENS

I should like to suggest for the consideration of the committee a method for dealing with the whole problem of enemy aliens, namely, that of dividing them into three general categories: Dangerous, suspicious, and friendly.

Of the dangerous and suspicious groups there seems to be little doubt as to who should handle the cases. There it should be the established agencies, it seems to me. But within the friendly category, the expatriated Jews from Germany, for instance, it seems to me it might be well, having sorted them out to Federal agencies, to leave the matter of determining the degree of their loyalty and friendliness to local police authorities. They, by reason of their more direct and intimate knowledge of the persons themselves are likely to be in a better position to pass upon their loyalty than would a detached Federal agency, which perhaps would have to adhere to some sort of routine formula.

I suggest that for consideration as a method which I understand was used with satisfactory results in dealing with a similar situation in England at the outset of war there.

The CHAIRMAN. In other words, Mayor, you feel that the local enforcement officers should play a little bit more important part in the decision as to who are dangerous enemy aliens or not. Is that the fact you are trying to get over to this committee?

Mayor GAINES. Yes; that is correct.

The CHAIRMAN. Now it is up to the Army about these areas.

Mayor GAINES. That's right.

The CHAIRMAN. They consult with the Federal Bureau of Investigation. Attorney General Warren on the stand Saturday said that while the local enforcement and State enforcement agencies transmitted to the F. B. I. all information, no information came back to your police officers as to who are the enemy aliens or the names of the enemy aliens. We will have the Department of Justice in this afternoon to answer that proposition. But that is your fact, anyway: That the local enforcement agencies should play a more important part than the F. B. I. as to who are dangerous aliens and also with regard to hardship cases, people that the local enforcement agencies, like your police officers, know. They have lived there for years and they know that they are absolutely loyal. That is the point you want to get over, is it not?

Mayor GAINES. That is correct.

The CHAIRMAN. And I think you are right about it, too.

Mayor GAINES. That is correct.

The CHAIRMAN. Go ahead, Mr. Mayor.

Mayor GAINES. I have one other thought to present for consideration by the committee. Obviously there will have to be some considerable transfer of those who can properly be called enemy aliens to places where they can be kept in safe custody, but at the same time can be offered an opportunity to utilize their time advantageously.

OBJECTIVES FOR COOPERATIVE FARMS

I have in mind the Japanese more particularly. I have had presented to me, and I shall pass it on to this committee for its records, a master plan for the development of cooperative farms, the objectives of which are:

1. To enable voluntary evacuation inland away from strategic areas.

2. To keep from the public relief rolls those Japanese aliens who, through removal of their means of livelihood, face eventual want.

3. To add to the economic resources of the United States in these critical times by maintaining these Japanese aliens in productive activity.

4. To sequester approved Japanese aliens where proper Government agencies may easily supervise their conduct and foster continued loyalty to the United States of America.

5. To reduce post-war destitutions among alien families.

This is a plan which has been carefully developed by a committee.

The CHAIRMAN. Will you be able to leave that with us and make it a part of our record?

Mayor GAINES. Yes. I shall be glad to submit this for the consideration of the committee. It is a thing that has been very carefully worked out and I think offers a partial solution at any rate to the cases, voluntary or otherwise, which should perhaps in the public interest be placed outside of the combat area. I shall be very happy to submit this.

The CHAIRMAN. Thank you very much.

(The material referred to above is as follows:)

A MASTER PLAN FOR COOPERATIVE FARMS, INC.

(Hi Korematsu, acting chairman, proponent committee for evacuated alien resettlement program)

We present this as a possible solution to an economic and social problem which faces the State of California during these critical times.

We, the proponents of this plan, are Americans.

While we want to be humane, to uphold the common goals of decency, humanity, and liberty, we are not permitting any undue sympathies to mislead our good judgment. We are for any and all programs which have as their object the advancement of our American interests and we are eager to contribute in every way possible toward the downfall of everything that is beneficial to the Japanese Government.

We would like to recommend the plan attached herewith because we believe that the law-abiding aliens, especially the Japanese, residing in the State of California to be of economic value, and because gathering aliens in Government camps or indifference by the Government to evacuees will only add to the expense of the Government and we feel will not produce the return which is so desirable from the viewpoint of the American people.

This war, like many others, can be won through unity, coordination, and mutual sacrifice.

Therefore, your kind attention is respectfully requested.

OBJECTIVES

1. To enable voluntary evacuation inland away from strategic areas.

2. To keep from the public relief rolls those Japanese aliens who, through removal of their means of livelihood, face eventual want.

3. To add to the economic resources of the United States in these critical times by maintaining these Japanese aliens in productive activity.

4. To sequester approved Japanese aliens where proper Government agencies may easily supervise their conduct and foster continued loyalty to the United States of America.

5. To reduce post-war destitutions among alien families.

THE PROBLEM OF THE JAPANESE ALIEN

The sudden onslaught of war in the Pacific has not only plunged the United States into the throes of a mighty conflict, but in line with many other changes in our national life has brought up a question of vital importance—what to do with aliens in this country, particularly with those who have been residing in localities designated as strategic areas.

Many thoughts have been expressed and many schemes have been presented. These have crystallized in the recent action by Pacific coast Members of Congress who, in our Nation's Capital, have recommended programs to the President of the United States.

Briefly, these programs would place the control of enemy aliens under the War Department, would immediately evacuate such aliens and their families from strategic areas, would intern them temporarily in available Civilian Conservation Corps camps pending the working out a long-range resettlement project, and would provide Federal assistance for all uninterned aliens whose means of livelihood are affected by the war.

In close conformity to these recommendations we propose the immediate establishment of Cooperative Farms, Inc., which, it is intended, shall be the forerunner of similar establishments sufficient in number to care for all Japanese aliens who are subject to evacuation from restricted localities where they have been living and working.

The authors of this plan are definitely not concerned with disloyal Japanese aliens. These subversive elements have been or are being taken into custody by the proper governmental agencies, according to official announcement by Attorney General Francis Biddle.

This plan is a result of our interest in seeking a feasible solution to the problems created by recent evacuation orders.

Originators of the plan are Christian leaders who are American citizens of Japanese parentage, who have worked it out in collaboration with outstanding citizens of other national and racial backgrounds. Continuous thought has been directed to the matter since the attack upon Pearl Harbor, and the project has now reached the point where endorsement of leading Americans and approval of the public in general is sought.

Those governmental agencies most directly concerned have been kept constantly advised, so that this plan is not unfamiliar to them.

COOPERATIVE FARMS, INC.

Cooperative farms are planned because the production of food is essential to the winning of the war by the United States. The majority of Japanese aliens are well experienced in the production of foodstuffs. Those whom the war has forced out of other pursuits may readily be trained in the art of farming, so that they, too, may again become productive. Farm labor is scarce, because many are turning to better-paid work in defense industries. The cooperative farms, with their available manpower, will aid in offsetting a part of this labor shortage.

GENERAL CHARACTER OF THE FARMS

1. Location.—The location and establishment of Cooperative Farms, Inc., is subject strictly to Government approval. They may be established away from the seacoast and strategic areas, in regions where the pursuit of agriculture is possible, and where essential transportation and communicative facilities and electric power are readily available.

2. Size.—Each unit of the cooperative farms will be of such size as may be deemed practicable in light of various circumstances. As many families as feasible will be permitted to work on these farms and thus support themselves, and produce food for public and Government markets.

3. Products.—Products of the farms should be thoroughly diversified. They may include dairy products, poultry, eggs, livestock, vegetables, berries, grains, soybeans, sugar beets, cotton, and such important experimental crops as guayule, as substitute source of rubber supply. Whatever is deemed by governmental authorities to be most needed will be produced, so as to fit closely into the general scheme of national defense and the winning of the war.

4. Experimental stations.—Close touch will be maintained with agricultural colleges and experimental stations. Cooperative farms may themselves become an important adjunct of the United States experiment stations of the Federal and State Department of Agriculture, as an emergency governmental project to insure production of food products vitally needed to maintain the health of the Nation and its armed forces.

5. Control and management—*(a) Board of directors.*—Full executive authority for the creation, management, and control of the farms will be vested in a board of directors of 15 members, all loyal, approved citizens of the United States.

(b) Advisory committee.—Serving under the board of directors will be an advisory committee. To this committee will be appointed representatives of various governmental agencies—Federal, State, and county, who are long experienced in farming, livestock, and poultry raising and in agriculture in general. This committee will possess no executive authority. All its acts will be subject to approval by the board of directors.

(c) Administrative staff.—Also serving under the board of directors, and with the cooperation of the advisory committee, is to be an administrative staff, all American citizens, including a group graduated in agriculture and animal husbandry, who will serve as technical supervisors.

FINANCING

It is obvious that financing is required by the corporation to purchase the necessary acreage, adequate housing, buildings necessary for livestock and poultry, provide farm equipment, proper seed and fertilizer storage space, and other necessary expenses. There are several methods by which adequate financing of the project can be attained:

1. Federal Security Agency.—The Federal Security Agency supported by vast sums of money advanced by the Reconstruction Finance Corporation, lays great stress in its operations upon the creation of cooperatives among small farmers. Considerably more than 200,000 farmers, scattered through every State in the Union, have been helped by the Farm Security Administration to form themselves into more than 10,000 small cooperatives which are today doing business with marked success.

If a Federal Security Agency loan were granted in the form of a Government loan to aid for the establishment and execution of the cooperative farms, the Federal Government would secure eventual return of funds which otherwise it might be called upon to extend outright in the form of charity for poverty-stricken Japanese aliens.

2. Personal contribution.—Voluntary contributions are anticipated from American citizens of Japanese parentage, the Nisei, as well as from other Americans who are conversant with the need for prompt, constructive, intelligent action to meet the situation brought about by the war. However, the funds from these last-named sources may be used for the preliminary expenses of organizing the project and placing it in operation.

3. Establishment of cooperative farms in which aliens, as well as citizens, may invest through special licenses issued by the United States Treasury Deprtment.—According to recent reports (February 3) from the United States Treasury Department, "A special license ruling required that the foreigners get special licenses before buying more than 1 percent of any class of stock of any corporation. Since foreign assets tied up in this country by freezing orders cannot leave the United States, they are frequently permitted to be invested here." (Foreign Funds Control, Circular No. 222).

4. Direct Government aid.—Direct governmental financial aid, for reestablishment of law-abiding aliens removed from strategic areas, as an emergency governmental project.

LEGAL ASPECTS OF THE PROJECT

In 1913 the California State Legislature enacted the alien land law, which provided that no alien who was ineligible for citizenship (which includes the Japanese) could own land in this State, though he could lease land for 3-year periods. To meet the situation brought about by this law, many so-called "family corporations" were formed among the Japanese. Such corporations had the privilege of owning land, provided the majority of their stockholders were citizens of the United States. Japanese nationals could be members of the board of directors, and could legally be paid salaries for their services.

In 1920 the voters of California adopted an initiative measure which made unlawful the land-leasing privilege and also deprived the ineligible alien of the right to acquire shares in any landholding corporation.

The Supreme Court of California has held, however, that an ineligible alien has the legal right to make an outright gift of money, land or other property to his American-born children, and that these children have the same right to name their own father as trustee of their property as has any other American citizen.

In conformity with the alien land law, the cooperative farms will be an organized corporation, incorporated under the laws of the State of California, with no individual owning any proprietary interest therein. Only citizens of the United States may be incorporators, or directors. The corporation may engage in all such agricultural, marketing, and other production and business pursuits as may be covered in the scope of its articles of incorporation and may, of course, acquire and hold land.

Thus, in the cooperative farms, Japanese aliens may be productive, self-supporting and self-respecting, and without extra expense upon the Government for their detention and care. They can receive no profits from the crops they help raise, however, and can have no proprietary interest therein. They may not even receive a bonus or any similar gratuity, but will receive only regular wages.

There will be no undue competition with neighboring farms and agencies. All products may be handled through proper Federal and State agencies.

ONLY LOYAL JAPANESE ALIENS CONSIDERED

In evolving the plan for the establishment of cooperative farms, there has been no desire to depict the problem of the Japanese alien and his dependents other than it really is.

No sympathy is felt by the originators of this plan, nor should be felt by them or others, toward those subversive aliens who would harm the country which has given them shelter.

Cooperative Farms, Inc., is a patriotic endeavor to accomplish the five major objectives set forth on the title page of this brief outline, and which are repeated here:

1. To enable voluntary evacuation inland away from strategic areas.
2. To keep from the public relief rolls those Japanese aliens who, through removal of their means of livelihood, face eventual want.
3 To add to the economic resources of the United States in these critical times by maintaining these Japanese aliens in productive activity.
4. To sequester approved Japanese aliens where proper Government agencies may easily supervise their conduct and foster continued loyalty to the United States of America.
5. To reduce post-war destitutions among alien families. Therefore

COMMITTEE FOR ORGANIZATION OF COOPERATIVE FARMS, INC.

Desires approval of the public.—As hereinafter indicated, the plan for Cooperative Farms, Inc., was first conceived by a group of American-born college graduates of Japanese stock. Now there is sought, for placing the plan in operation, the approval of those leaders who believe that such farms will go far toward alleviation of the present difficulties faced by both the United States Government and by the loyal Japanese who have been law-abiding and who are being evacuated from their homes and farms.

These aliens who are being evacuated without security may turn their sympathies toward the Axis; it will bring their distrust in the democratic principles of America, and it will be defeating the very thing we are defending as a nation at war.

Thus, a constructive program has been developed. Care has been taken to keep interested Government agencies advised of this plan during its development. This practice will be continued. It has been in a spirit of cooperation, not with the ideas of assuming or interfering with any Government prerogatives, that the Cooperative Farms, Inc., has been advanced. We submit this plan with the belief that it is both constructive and thoroughly practical.

This plan is respectfully submitted for your kind consideration. An acknowledgment will be sincerely appreciated.

COMMITTEE FOR EVACUATED ALIEN RESETTLEMENT PROGRAM.

ADVISORY COMMITTEE (PRO TEM) FOR COOPERATIVE FARMS, INC., FOR EVACUATED ALIEN RESETTLEMENT PROGRAM

Dr. Galen M. Fisher, Institute of Pacific Relations.
William C. James, Friends Service Committee.
Robert R. Gros, Public Relations, Pacific Gas & Electric.
Dean C. B. Hutchison, College of Agriculture, University of California.

Dr. Lawton Harris, Church Federation, Young Men's Christian Association.

Dean Walter J. Homan, San Francisco State Teachers College.

Dr. Alfred G. Fisk, San Francisco State Teachers College.

William F. Benedict, former assistant secretary to Mayor Rolph, of San Francisco.

Harry L. Kingman, general secretary, University of California, Young Men's Christian Association.

Russell Proffitt, Associated Cooperatives.

Cooperative farm programs as now familiarized have had the sympathies and the assistance of such important offices concerned with alien problems, as United States Department of Agriculture; State Attorney General; United States Attorney; Farm Security Administration; Church Federation; Friends Service Committee; College of Agriculture, University of California· and others.

TESTIMONY OF MAYOR GAINES—Resumed

Mayor GAINES. I might have other suggestions to offer later or to submit to the committee before it concludes the hearings.

The CHAIRMAN. Yes, sir. Before we ask questions of Mr. Slavich, I want to say to this panel that we might as well meet this thing head on. We didn't come out of the clouds. We are sent out here to find out what the people of the Pacific coast feel about this problem, their facts and fears, and any solutions they have. You are 3,000 miles away from Washington. It is the finest opportunity the Pacific coast has, because we take this word right back there. The Army and Navy and the F. B. I. will read this report. So we have got to meet this thing head on. This is the most vulnerable part of the United States. They tell us in Washington that the Pacific coast can be bombed. They also tell us that we can lose this war. Maybe we are a little bit jittery back there, but that is what the highest authorities tell us in Washington.

What we want to obtain from this panel as much as anything else is what you are doing over there, the picture of the East Bay which we can bring back to Washington.

There is another thing that keeps bothering me all the time. We have got to think in terms of reprisals, too. We have prisoners back in Japan, Singapore, and different places. We have prisoners there.

Another thing that keeps bothering me is that this war is going to end. The United States, it has often been said, is a melting pot of all races and religions on down the line. We have got to live here in the future. How best can we handle this situation with the least hardship to anybody? Under the Executive order of the President issued Friday it is all up to the Army. The reason for that Executive order is that the representatives of California, Oregon, and Washington met almost daily back there and we finally evolved this recommendation that the President outlined in his Executive order.

How much the evacuation of those on the Pacific coast is going to be, I don't know. We met with General DeWitt Saturday afternoon for over an hour. He cannot appear because the border line between what is confidential and not confidential is very close. He said that he would permit us to say this, though: The order that goes into effect tomorrow stands just exactly as it is. He has received as yet no instructions from Washington under this new Executive order. Not one. But he said that we could tell the people that there will be no mass evacuation. It will be taken step by step, and every hardship case will be looked into.

That is where you are going to play a very important part. You know you have Italians over there in your districts who are just as loyal as any citizens. They are among the best people we have over there. So there is where you are going to play an important part.

That is the longest talk I have made in all the hearings I have been in so far, but I did want to get that thought over to you.

Mayor Slavich, what have you got to add to this?

TESTIMONY OF HON. JOHN S. SLAVICH, MAYOR OF OAKLAND, CALIF.

Mayor Slavich. Mr. Chairman, you just said something that I have in my mind; in fact, talked about it with the boys coming over here this morning. I refer to the wholesale exodus and wholesale evacuation of the aliens. I don't think it should be done on a wholesale basis. I think it would throw a lot of hardship on various people who are not able to take out citizenship papers possibly due to lack of formal education, although they are fine citizens. I think possibly the Japanese question has to be approached a little differently. I don't know whether or not we are able to get the necessary information on Japanese American-born citizens or not. The F. B. I. seems to have a lot of information we haven't got, because we have evidently had reports on some that don't quite agree with the F. B. I. reports.

I don't think it is a local problem when it comes to its final solution. I think the case should be more of a Federal problem to be solved by some referee appointed by the Federal Government or some board set up to determine whether or not we should tolerate them longer in our midst.

But I will say this: That I think we should approach the question very carefully. I have read Mayor Rossi's and Chief Dullea's interpretation. I think I quite agree that the German and Italian aliens primarily should be given special treatment, because personally I know a lot who have boys in the Army and it would be a crime, I think, to send them away in these prohibited areas when their own flesh and blood is fighting for the cause. We have got to be very careful of that particularly.

DELAYS IN NATURALIZATION

The Chairman. Of course, with respect to what you say about naturalization cases, as I understand it they are about 18 months behind—where people who have taken out their first papers can't get a hearing. Also there are cases where they have had their hearing but the order has not yet been signed. They are so-called enemy aliens.

Chief Wallman, I want to give you this information. If anybody asks you or the rest of the panel about those cases, technically they are enemy aliens, but we have a bill before the House Judiciary Committee, which will probably be reported out this week, giving a discretionary power with the Department of Naturalization, don't you see, in those kind of cases.

Now they are out as far as their status is concerned. If anybody asks you about that, that is the answer. We are going to try to take care of that. It is very, very bad.

Chief Wallman, what have you to say?

TESTIMONY OF B. A. WALLMAN, CHIEF OF POLICE OF OAKLAND, CALIF.

Chief WALLMAN. Mr. Chairman, I am in accord with everything that has been said. I know that you are very familiar with our set-up in the city of Oakland. We have, as you know, 60¼ square miles and I would safely say that there are 325,000 people in the city of Oakland, with approximately 400 peace officers. Overnight many of those men have been given duties that are rather unusual to those of regular police officers.

We also know that we have no budget prepared to take care of employing the necessary number of men that must guard vulnerable points, and there are any number there, both in our industries and our utilities. I believe that if we are going to take any action it should be taken now, and just as quickly as possible, because it may be too late next week or next month. As Mr. Gaines has said, I believe that we can do our duty. If it is the duty of the peace officers to pass upon the alien, I believe that we can do that. Again we must have more employees, and I am also sure that we must get much information from the Department of Justice.

The CHAIRMAN. What are you getting now, generally speaking?

Chief WALLMAN. Well, the system is this: We give whatever information we may receive or obtain through investigation to the Department of Justice. I believe that if we wanted that information or any additional information later we could get it. I have not asked for it, but I believe they would give it to us.

The CHAIRMAN. Let me ask you right there—I am sort of talking out loud with you here. Don't you think that regarding hardship cases, the local enforcement officers know more about that than the F. B. I.?

LOCAL ENFORCEMENT OFFICERS COULD PASS ON HARDSHIP CASES

Chief WALLMAN. I certainly do, and we have those contacts. I think we are in a better position to pass upon them. Of course, I have heard of some cases about which I wouldn't know just what to do, such as dependents. Those are now being supported by either the State or the county charity. They have to be moved, of course, the same as anybody else. Possibly we could pass upon them. We may make some mistakes. But, again, if they are going to be moved has there been any preparation made for a camp? I have always believed that that is the logical place for them instead of scattering them throughout other parts of the city or probably into another county or State, and particularly in the city where they probably will have to be moved again and again as the areas increase in extent.

But I think uppermost in my mind, Mr. Chairman, is this: That whatever we are going to do we should do quickly. That is uppermost in my mind—speed.

The CHAIRMAN. Could you outline just what you have in mind in regard to speed; that is, what steps you think should be taken?

Chief WALLMAN. Well, I understand that we couldn't move out this morning and probably not tomorrow, but it seems to me that there should be some preparation made if it hasn't already been made. If it has, I have no knowledge of it. If we have to move tomorrow or the next day, these aliens could be sent to certain points provided for by the Federal Government. I think that is very important.

The CHAIRMAN. I think I can tell you what ideas we had in mind when the three delegations of the Pacific coast met. That is that everyone, citizens and noncitizens alike, would have to register and who remains in certain districts will depend upon the judgment of the Army.

When we go down to the different departments of the Navy and War, we have to register. We have to have a badge and one thing and another. I don't know whether it will get that far or not, but it may be on a permit basis as to who remains, because the Executive order is directed against all citizens. The details have not been worked out as yet, but it is probably going to be on a permit basis. There is not going to be a great big fanfare or anything like that about it. However, the trouble is that just one enemy alien can do a great deal of damage in any one district. Is that not correct, Chief?

Chief WALLMAN. Yes, sir.

VULNERABILITY OF PACIFIC COAST

The CHAIRMAN. And I think the Pacific coast with our aircraft factories, power lines, dams, and other such things is particularly vulnerable. So, after all is said and done, we have got to do this job with as little hardship as we can. But it is still war. I think that is the way it is going to be handled. However, you can say to your people over there that the details have not been worked out as yet. It will all depend on the instructions that General DeWitt will receive from Washington. He may have them today, I don't know. But I think that is the way it is going to be worked.

Was there anything else, Chief, that you wanted to ask?

Chief WALLMAN. No. I can't think of anything right now, Mr. Chairman.

The CHAIRMAN. You did make one point there. You think that your police force should be increased?

Chief WALLMAN. Well, I think that it should be, under the present conditions. On the other hand, if we would speed up on the evacuation of enemy aliens, probably it wouldn't. We could get by with our present force.

The CHAIRMAN. Of course, if there is an attack on the Pacific coast here—and they tell me that it is not only possible but it is probable—because Japan has to win this war quick or she is not going to win it at all. So I am trying to think along with you gentlemen this morning and see if there is anything that we can anticipate. I don't look upon England as comparable with the Pacific coast. England, or rather London, is built of brick and stone. A few incendiary bombs in San Francisco alone could sweep the city and that also holds for the East Bay. We are anxious about it and we would like to get a picture of the East Bay, what is being done and what can be done to make us a little bit more secure.

Captain Johnson, have you anything to add?

Mr. JOHNSON. Mr. Chairman, if you don't mind a suggestion, it might be well to call upon Mr. Fisk, the city manager, before calling on me.

The CHAIRMAN. That is all right. We will hear from you, Mr. Fisk.

TESTIMONY OF CHESTER C. FISK, CITY MANAGER OF BERKELEY, CALIF.

Mr. FISK. Mr. Chairman, I have just jotted down a few points here rather hurriedly. In the first place, I think we all must keep in mind the danger from sabotage. That is something that none of us can afford to overlook. It has been pointed out here that additional personnel is needed in the police and fire departments, probably of all cities in this area, and I think they are a very necessary part of this general picture. As a matter of fact, there is so much personnel needed that I doubt whether any city can ever find adequate money to take care of that. It is something that goes far beyond any normal set-up. Therefore, I think that some consideration should be given by this committee to the matter of some Federal aid in connection with this sort of thing.

Fundamentally, those of us in this room are charged with the responsibility of protecting our own people insofar as we possibly can. I don't mean to raise any question about the Army's authority or anything of that kind, but it is our job to take care of our own people as best we can through our civilian defense and through the duly constituted authorities which are parts of city government.

Let us just take the police and fire as an example. It has been pointed out to you already that we might have serious problems growing out of fire. I believe you pointed that out, Mr. Chairman, yourself. I am not going to go into a lot of detail about it, but there is no question about the seriousness of that situation. Our buildings are in a large measure frame throughout the bay area, and I think we have to keep that in mind in studying this general question.

I think action should be taken quickly along whatever lines are to be followed on a constructive basis to solve this particular problem. I don't think we can afford to wait very long so far as this thing is concerned.

SUGGESTS REVIEW OF MILITARY AREAS

There are two other points I would like to raise. One of them has to do with the areas which have been restricted and prohibited. I realize, of course, that those areas are established by the Army. However, in the case of our own city I would like to raise a question as to how the determination of those areas was made and whether or not they were properly established for the best interests of the public or for the city as a whole. I don't know whether this committee can take that under consideration or not, but I would like to raise that question. I think that there ought to be some careful study made, perhaps not only in our own city but in some of the other cities.

Again, I am not going to go into great detail, but so far as the city of Berkeley is concerned I think that matter needs to be very carefully reviewed on the basis of this present set-up and consideration of some revisions thereto.

One other thing that I want to mention, and this probably is not a part of this hearing, but it may be of interest to you and the other two gentlemen with you as Members of Congress. All of us agree that the situation out here is not one to be trifled with and I know Congress has that feeling in mind. This is a critical area and I believe every step should be made to expedite the delivery to the cities of the materials which have been made possible under this $100,000,000 grant by Congress, so that the materials may be in the hands of the cities where they can be used at the earliest possible date.

I believe that covers the points which I have in mind at the moment, Mr. Chairman. Perhaps before the close of the hearing I might have another word to add.

The CHAIRMAN. You see, you can get all the facts you want and then it depends on what you do about them. As a result of your remarks, Mr. Fisk, I was just thinking, shouldn't there be some official or some department to check back, for instance, like on the Pacific coast, to see how the Army and F. B. I. and enforcement officers are getting along? It would be a sort of clearing house.

Mr. FISK. I think there is no question about that, Mr. Chairman.

The CHAIRMAN. The war came on us all at once. There should be a clearing house. I am still convinced that the city of Oakland and the city of Alameda and the city of Berkeley know more about hardship cases than any department of the Government. You know. You have lived there for years. I was trying to think in terms of our recommendation: Shouldn't there be some sort of a clearing house of this information between the local, State, F. B. I., and Army?

Mr. FISK. Definitely. I think it should be coordinated.

The CHAIRMAN. The Army simply cannot take care of all these matters. It is just too much for them. They are fighters and they are getting ready to fight, as far as that is concerned. They are in good shape here on the Pacific coast. I can give you that information. But that is the opinion that I have. So our visit out here is just absolutely a futile gesture unless we go back to Washington with some recommendations.

Now, Mr. Mayor, what have you got to say?

TESTIMONY OF HON. M. C. GODFREY, MAYOR OF ALAMEDA, CALIF.

Mayor GODFREY. Generally speaking, my thoughts are quite in agreement with expressions that have already been made. Because we are situated geographically as we are and because of physical conditions, I believe every possible effort should be made by the Federal Government to assist with our problem, not only with enemies from without but those from within.

As far as hardship cases are concerned, I think your thought is correct in stating that local authorities are better qualified to pass on those cases than anyone else might be. However, any plan that may be adopted should be worked out, I think, by the Army or the F. B. I., or some Federal Government agency rather than by local authorities. Our local peace officers are not very many and have a big job to do. They would be very happy and are able to cooperate with any plan that is worked out, but the definite plan should come from sources, I believe, other than the individual municipalities or the collective municipalities.

I am very definite in my thinking as regards the establishment of camps, if and when alien enemies or others whose loyalty may be questioned are removed from the area. There should be some definite plan as to where they are going, not any haphazard removal. I am not saying there is no such plan, but I thoroughly believe that that is a very important angle.

The CHAIRMAN. Mr. Schwanenberg.

TESTIMONY OF C. R. SCHWANENBERG, CITY MANAGER OF ALAMEDA, CALIF.

Mr. SCHWANENBERG. I would just like to stress one or two points and bring them to your attention. The East Bay area is definitely very vulnerable. In the city of Alameda we have the naval air station at one end of the island. It is an island about 7 miles long and from a mile to 2 miles wide. There are five major shipyards along the northern edge and there is the Oakland Airport at the eastern end of the island. While the Oakland Airport is in Oakland, it is really in Alameda.

The whole situation is very vulnerable, and steps should be taken to remove immediately all enemy aliens and all American citizens whose loyalty can in any way be questioned. We are at war and we can't afford in this area to take any chances.

We have always had the reputation in this country of being tolerant and giving consideration to everybody. It is very possible that injustices will be done. That will be necessary. There are many injustices done during wartimes. If there are any, they can be rectified later. But in the present situation I don't believe we can afford to take any chances at all, and something should be done immediately to remove the enemy aliens and to remove any citizens whose loyalty is in the least bit questioned. If later it is proved that they are loyal, they can then be returned to their homes. It is something that must be done and, in my opinion, immediately.

I agree with the other gentlemen in regard to some of the alien cases. I think the local authorities could be of very great assistance to the Federal authorities in most of these cases, because I believe that we know the cases. We know the aliens, or at least some of the aliens, that possibly could be trusted and are, maybe, as good citizens as we are. There isn't any question but what some of them are better citizens than a lot of the citizens that we have in this country today.

I think that is about all I have to say.

The CHAIRMAN. Thank you very much. Mr. Smith, please.

TESTIMONY OF VERNE SMITH, CHIEF OF POLICE OF ALAMEDA, CALIF.

Chief Smith. With your permission, Congressman, I won't be quite as tactful. I think from your remarks that you are considering the Italian, German, and Japanese question as a whole. I think that is a mistake. I think that there are two divisions—the question of the Italian and German aliens, and the question of the Japanese citizen.

I say that even though we are showing our racial tolerance by having some of the Japanese citizens in the audience listening today.

I think they are two entirely different questions, because for years we have known Italian and German aliens and there is a common meeting ground between their minds and our own.

There is, so far as I can ascertain, no particular common meeting ground for the oriental and occidental mind. In other words, as an experienced police officer, I find it practically impossible to obtain information, to obtain true impressions of the Japanese. It is much more difficult, in fact more nearly impossible than it is with the other two classes of aliens.

Therefore, I think it should be treated as a different problem and, to be perfectly blunt about it, I would recommend the internment in the very near future of all male Japanese on the coast here. That is my recommendation. I wish you gentlemen would consider it.

I say that for very obvious reasons. I think speed is a very important factor. It isn't a question of injustice because you know very well that the Government will treat all the interned people in a very humane manner, make them comfortable, and all that sort of thing. Then at our leisure, as opportunity offers, any injustice can be rectified. But I think it is a very important question of speed, Congressmen, and I wish that you gentlemen would consider that.

That is the principal point I wanted to make.

The Chairman. Thank you, sir.

Mr. Johnson?

TESTIMONY OF W. J. JOHNSON, CAPTAIN OF POLICE, BERKELEY, CALIF.

Mr. Johnson. Mr. Chairman, up to the time that Chief Smith spoke, I found myself very much in accord with all of the recommendations that had been made, up to that time. However, strictly speaking from a police standpoint, the situation with reference to the Japanese is quite different than it is with reference to the Italians and the Germans. I believe both Chief Wallman and Chief Smith will agree with me, that the police are able to get the information that we should have in order to know just what our position is in the cases of the Italians and the Germans, but we cannot get the information that we should have with reference to the Japanese.

I might just as an example state that one young Japanese has approached us recently. He was California born, and he told us that he wanted to aid the local authorities. He pointed out to us that today he is a man without a country. His decision is to aid the local authorities.

The Chairman. Right there, Captain, the attorney general of California, Earl Warren, testified Saturday—I am asking this question to see if you agree with him—that he has never received a report from any of the city or county enforcement officers where a Japanese has divulged any information that would be of value.

Mr. JOHNSON. Mr. Chairman, that is substantially correct. I would say that is substantially correct.

The CHAIRMAN. They have had it from Germans and they have had it from Italians and they have had it from every other nationality, but never from the Japanese. Is that correct?

OFFERS OF AID FROM JAPANESE

Mr. JOHNSON. Quite true. Up to within the last few days, no information whatsoever, to my knowledge, has come voluntarily from the Japanese to the police. None whatsoever. However, just recently now, and what the motives might be I am unable to say, certain young California-born Japanese have approached us and, as I was relating, are attempting to lead us to believe that they are on our side and do want to aid us. So, whether they do or not we don't know. It is virtually impossible to tell.

The CHAIRMAN. Captain, in the discussions of the Senators and the Representatives from the three Pacific Coast States, several times it was pointed out to us that there has not been a single case of sabotage so far on the Pacific coast. But we have finally come to the conclusion that that was really an anomalous, dangerous condition. Sabotage will come when the attack comes. Do you agree with us on that?

Mr. JOHNSON. Emphatically so. There is no question in my mind about that, Mr. Chairman. None of us knows what is going to happen here, but there is one thing of which we are dead certain. That is what has already happened at Pearl Harbor and we all know how it was brought about there. There is no question about that. That is factual, that is history. We know what happened there, but we don't know what might happen here in the future. However, it seems to me that it is fairly good thinking to believe that what happened there might well also happen here.

The CHAIRMAN. In other words, at Pearl Harbor, Honolulu, there wasn't a single indication of sabotage until the attack happened?

Mr. JOHNSON. Not until the correct time, the proper time.

The CHAIRMAN. It was timed very well.

Mr. JOHNSON. Surely.

The CHAIRMAN. Did you finish?

NO INSTRUCTIONS FOR ACCEPTING CONTRABAND PROPERTY

Mr. JOHNSON. I have two other minor comments. One is that the local authorities would like to receive official instructions from whatever Federal agency is going to bring about or direct any of these movements or projects. I have reference now to the surrender of certain contraband alien property. We have received no instructions whatsoever by the Attorney General, but by reading the newspapers and listening to our radios we learn that on certain days up to certain hours certain property was to be surrendered to the local police.

In certain cities the police refused to receive that property. And properly so. They had no official instructions whatsoever, but just taking it for granted that newspaper publicity was correct and perhaps the radio people were correct, we in Berkeley set about to prepare our receipts so that we would be properly protected. Our printer worked all night in order that we would be ready. We had to staff our offices, and in about 3 days I believe over 400 different aliens brought in property worth thousands of dollars. Some of it was very bulky. All of that movement was carried on without any official instructions whatsoever from any Federal agency.

The Chairman. Of course, that is right in line with this investigation. We were hardly here before we came across the situation with respect to a custodian for alien property. The reason for that is simply this, that the pressure from the Pacific coast for a solution of that problem is greater than from any part of the United States. In New York, in the New England States, it is not present there at all. So it has been sort of lagging here on account of jurisdiction. The problem is the jurisdiction of the agency that should handle it. There should be a regional custodian right here for this alien property. Whether it is livestock or whether it is furniture or what not, there should be someone in charge to see that they are not cheated out of the value of their property by reason of forced sale or something of that kind.

I think that is the most immediate thing. Speaking for myself as one member of this committee, we are not going to wait for our report but we are going to wire them to that effect. When this evacuation starts tomorrow, it is simply going to be terrible. I am glad you brought that out. We have been constantly considering that situation, Captain.

Mr. Johnson. I would also like to add that the police in the East Bay cities have any number of times daily endeavored to obtain official instructions from somebody here in San Francisco, but the official information is just not available. We cannot get it either from the United States attorney's office or from anybody else's office.

The Chairman. Maybe they don't know.

Mr. Johnson. I couldn't say.

The Chairman. We have been moving pretty fast back there. We have quite a problem.

BOUNDARIES OF MILITARY AREAS

Mr. Johnson. Just one more point and then I will be finished. On this matter of the prohibited areas and restricted areas, in Berkeley, Mr. Fisk already mentioned this and I just wanted to add a little emphasis to what he said. A quarter of our city has been cut out and designated as a class A prohibited area. That is on the north side of University Avenue, but on the south side of University Avenue I believe we have more important national defense industries than we do on the north. That is in the wide-open area. It is not in the prohibited area. The larger part of our aliens live in the south, in the open area.

I don't know who laid out the boundary line, but I do know that the local authorities were not consulted and the boundary line was cut out at a street that was straight and then another at right angles.

Then there were two streets that run parallel, and then there was a twilight zone and nobody knew where the line was for several blocks.

That is all I have.

The CHAIRMAN. Of course, there should be coordination. That is why we are out here—to learn from the people themselves who are directly involved in the problems. We are more or less of a sounding board to get that back to Washington. I think that is very valuable.

Mr. SCHWANENBERG. I would just like to make one comment to bear out what Chief Smith and Captain Johnson have stated. At a certain golf course in California where they make reservations for Sunday golf playing, it is frequented by a large number of Japanese who hold reservations for every Sunday morning. Some of these Japanese, part of them at least, are American citizens. On the morning of December 7 there wasn't a Japanese that showed up on that golf course to claim his reservation and play golf that morning.

Now, you can draw your own conclusions, but that is a fact.

The CHAIRMAN. Mayor Gaines, I think you said you probably would have some more remarks to make. Is there anything further that occurs to you? We are about finished now because we have so many more witnesses.

MULTIPLICITY OF INVESTIGATIONS

Mayor GAINES. Congressman Tolan, I had in mind dealing with the point that has been emphasized by Captain Johnson and by yourself in your comments. I do feel that there is great need for more coordinated effort. For instance, in the case of the intelligence services themselves, at the present time the F. B. I. and the intelligence services of the Army and Navy are working on this problem. So far as I can see they are not coordinating their own efforts. The result is that there are a great many enemy aliens who are subjected to a series of investigations.

The CHAIRMAN. May I interrupt you there? Why don't you gentlemen who appeared here this morning reduce to writing and send to this committee to Washington recommendations on just that point, coordination between the local officers, and the Army, and the F. B. I., and the Navy Intelligence? That will be of great assistance to us and it may be very helpful in our national defense program. I think you can do it as applicable to the East Bay district. I think that can be done because, after all is said and done, on March 16 we have to get a report in with certain recommendations.

You can give us some cases where it works out. Also in regard to that area that you mentioned in Berkeley. I don't know how those areas were established. I have no idea about that. The jurisdiction is in the Army.

Mayor GAINES. I have in mind particularly the matter of intelligence at the moment, although the area problem quite obviously needs some attention.

I have just one other comment at the moment. I may submit some information to the committee subsequently. I understand the record is to be kept open for a time.

The CHAIRMAN. Yes.

SHOULD NOT RELAX VIGILANCE TOWARD ITALIANS AND GERMANS

Mayor GAINES. I do feel that while there is an important difference between Japanese aliens and Germans and Italians that it would be unwise to relax vigilance so far as the Italians and the Germans are concerned. We are well aware of the activities of Fritz Weidemann and his staff here on the coast prior to the time he was returned to Germany by our own Government, and undoubtedly there has been a continuing, subtle, persistent Nazi activity. Therefore, while we do need to differentiate to a degree, it is nevertheless wise to keep a vigilant eye on both German and Italian nationals as well.

I think that is all for the present, Mr. Chairman.

The CHAIRMAN. Mr. Hassler?

Mr. HASSLER. I just want to say one word, Congressman, and that is this. You say to write a letter to the committee, but that takes so much time. I think we need immediate action on one matter, and that is this: That in the East Bay cities we should have a representative of the military forces to advise with local government. I think that should be done by recommendation of your committee by wire to the proper authorities immediately. In other words, when they established this prohibited area it was not done by taking it up with the local authorities and the twilight zone spoken of here may have been also done in other cities. One representative of the armed forces in our entire county would be enough, but he could advise with us and find out if we are doing the job right. I think it would show where other prohibited zones could be established.

Procrastination has been shown in the burning of the *Normandie* and fires in the East and many other catastrophes in other parts of the country. But we wait for advice, we write letters, and time passes.

Mr. FISK. May I say this, Mr. Chairman? I wrote to the Army about a week or 10 days ago and asked them if they had somebody to sit down with us and tell us how these areas were established. I have had no reply to that. I was out of the city Friday and Saturday.

I know the Army has a lot of things to do, but I think this is a matter of some immediacy, and I am certain that we can all work together to the general interests of the public. But I agree with what Mr. Hassler has said. This is not the time to wait on these things. It is the time to act. We ought to act in a proper manner. That is what all of us want to do, but I think we should do it now and not 30 days from now or some other time.

The CHAIRMAN. I don't think it will take long. I think all we have to do is to ask General DeWitt. He has the jurisdiction.

Mr. HASSLER. That would be the thing to do. There should be some way to get them over tomorrow or this afternoon. Immediately, anyhow.

The CHAIRMAN. Let me ask you this question. In regard to these statistics has the Army consulted with you local officials at all about it?

Mr. HASSLER. I have never seen any of them.

Mr. FISK. No, sir.

The CHAIRMAN. Who makes the survey of it?

Mr. Fisk. Of the districts? That is something that we have been unable to find.

ARBITRARY DESIGNATION OF MILITARY DISTRICT

Chief Smith. They evidently took a map, Mr. Chairman, and arbitrarily made the districts.

Mr. Johnson. Mr. Chairman, one point I would like to mention just because it is specific. For weeks we have been told through the medium of the press that on February 24 large numbers of aliens would be evacuated from certain districts. Now we understand that the local authorities are not going to do it, that it is probably going to be done by some Federal agency. Which one we don't know.

NO INSTRUCTIONS TO LOCAL OFFICERS CONCERNING EVACUATION

Recently the newspapers have said it was to be done by the Army. However, today is the 23d and we have received no official instructions whatsoever as to how it is to be done, who will do it, and any other details. I know we haven't in Berkeley and I don't believe the other jurisdictions have either. And today is the day preceding the evacuation. We don't know who is going to do it or how it is going to be done. Still, understand, normally when a State or Federal officer comes into our city he immediately contacts the local police forces for assistance. He doesn't know what the streets are, he doesn't know the people. So the customary thing is to contact our officers.

The Chairman. In other words, if this committee had not come out here it would have remained in status quo? This problem would not have been solved at all; isn't that right? This is about the only way we could get it to the Government?

Mr. Fisk. That is perhaps the only way Congress would have gotten it. I think we would have had to find some way of getting action.

The Chairman. We will take that up with General DeWitt today.

Mr. Hassler. You will be in contact with the general today?

The Chairman. I will have to call him up. We will be in hearings all day today. But it is too bad we did not have this panel on Saturday. We were with him an hour Saturday afternoon and we could have discussed that right with him. Now, we will have to call him up before we leave.

I think that is very, very important. I am glad you brought it up, because those are the things that count.

Mayor Gaines. I might point out that midnight tonight is the deadline really on this thing

The Chairman. Yes; I know.

Did you have anything, Congressman Arnold?

Mr. Arnold. I would like to ask a few questions on my own responsibility without having consulted you.

I realize, Mr. Chairman, that you are familiar with this area and this is the area from which you come. Anyone can answer these questions who sees fit.

Is it your idea that the local authorities should have the responsibility of saying which Italian and German aliens are evacuated and which remain?

Chief SMITH. No.

DECISION ON CATEGORIES FOR ALIENS

Mayor GAINES. I may answer that, since I believe I raised the point. First of all, I think there should be three categories established: The dangerous, the suspicious, and the friendly.

Mr. ARNOLD. How are you going to determine that?

Mayor GAINES. Within the friendly category, I think the local authorities should be consulted without question on the ground that they are most familiar with local folk and are best qualified to deal with local situations.

Mr. ARNOLD. Who can say who is friendly and who is unfriendly? Do you think your local authorities want to take that responsibility?

Mr. SCHWANENBERG. No, no.

Mayor GAINES. I think the Federal authorities can determine first of all who are dangerous. Certainly they would have a pretty good idea as to who are suspicious. That of necessity leaves a residue that might be counted friendly but subject to further investigation.

Mr. ARNOLD. Of course; I hope the F. B. I. has all that information, but their force is not large and there are a great many aliens on this coast of Italian descent and perhaps of German descent. I don't know how many German aliens you have.

Mayor GAINES. A great many.

Mr. ARNOLD. I come from a district that is one-third German; very few aliens, however. I don't know just how any agency of the Government, or local agency either, would determine who is loyal and who is not loyal, even among the citizens.

Mr. HASSLER. Congressman, I feel that the Department of Justice cooperating with the local police force could determine that. It wouldn't be any problem there at all.

Mr. ARNOLD. Do you think we have time for all that?

Mr. HASSLER. No; not now.

Mayor SLAVICH. Midnight tonight is the border-line point.

Mr. HASSLER. We have been in the war 3 months almost and we are just taking that question up now.

Mr. ARNOLD. I mean as to the future. I am not referring to the ones who are to be evacuated tomorrow, but we all know of this recent Executive order. Do you think we have time to study individual situations?

Mr. HASSLER. We presumed that the Department of Justice had all these cases investigated and ready for the evacuation, because they didn't contact us and we, of course, took it for granted that they knew what they were doing and that they would handle the cases.

Mr. ARNOLD. Don't you believe that the Army will have to take into consideration the fact that if they leave one alien Italian family, for instance, and remove another there will be a great deal of hard feeling toward the Government on the part of those who are removed? They will claim they are as loyal as the ones who remain.

Mayor Gaines. Congressman, I might suggest that perhaps it is necessary to act under a sweeping order in this case, but that does not necessarily need to be final. Those persons, who by reasonable test can be determined to be loyal, can later be restored to their own surroundings.

Mayor Slavich. Would you remove them in the meantime?

Mayor Gaines. Well, tonight is the deadline. I don't know if you can do anything else. But it can be straightened out later.

NO MASS EVACUATION ANTICIPATED

The Chairman. Tonight is the deadline for this evacuation, but there are going to be more evacuations. General DeWitt said Saturday afternoon to the public that there is not going to be any mass evacuation, it is going to probably be done over weeks and months. So what we are now talking about is not on the borderline of tonight, but the future evacuations. I thought that your ideas were simply to cooperate with the F. B. I. and the Army. That was the idea, was it not? To give them whatever information you have?

Mayor Gaines. That is all right, too. But so far as enemy aliens are concerned tonight is the deadline. Now, as to second generation folk, that is left under the Presidential order, as I understand it, to the discretion of the Army. That can take place over a period of time. But so far as enemy aliens are concerned, midnight tonight apparently is the deadline.

Mr. Arnold. You gentlemen don't think that men in politics should have the final say as to who is removed and who isn't?

Mayor Slavich. No. Don't ask the mayor to appoint a committee.

Mr. Arnold. I know. As a Member of Congress, I have been glad that we didn't have to say who was to go into the Army and who wasn't, especially before December 7. It was pretty "hot." These mothers all wanted their boys out of the Army and I was very glad to leave those decisions to the War Department. I just wondered if you, out here in the Bay Area, wanted political considerations to enter into it.

Mayor Slavich. We are rationing tires. We don't want to ration anything like this.

Mr. Fisk. All we want is to get it done on the best basis possible and we want it done quickly. We don't want it put on a political basis.

Mr. Arnold. You want everybody who is disloyal to this country removed, and people who are loyal to remain?

Mayor Gaines. That is right. Speaking for myself, it makes no difference who accomplishes it, the Army, the Navy, or what you call "political" so long as it is done. I think it is a public duty.

Mr. Arnold. Of course, the Army is responsible for the defense of this coast and you, as city officials, are mighty glad that you have someone who is defending the coast and is responsible for it.

Mr. Fisk. That is right.

Mr. Arnold. And I take it you don't want to interfere with this defense, but you don't want hardships to be worked on people whom you feel are loyal?

Mayor Gaines. That is correct.

SHOULD REALIZE MILITARY NECESSITY FOR EVACUATION

Mr. Schwanenberg. I would rather see 50,000 people put in a camp and be sure that we were protected than to have one person stay out of an internment camp who was a danger to the protection of this coast. That is my position.

The Chairman. And you say that because just one individual can cause a lot of damage?

Mr. Schwanenberg. That is right. And there are nearly a million people in our area that we, as city officials, feel definitely responsible for.

Mr. Sparkman. Don't you feel that a person of alien ancestry should, if he is a loyal American citizen, realize that this evacuation is necessary for the security of our Nation, and be willing to abide by the military decision and simply count it as a sacrifice necessary in war time?

Mr. Schwanenberg. If he is a good American citizen he should be glad to do it.

Mr. Sparkman. Now, there has been some complaint, and I think a just complaint, about the lack of coordination. You gentlemen understand, of course, that prior to this Executive order there wasn't any well-defined authority as to who was to do these various things. General DeWitt, as a matter of fact, did not receive his instructions until yesterday. I am wondering if you have made any effort in the last day or two to form a committee for the purpose of contacting General DeWitt, or anyone whom he might designate, to discuss these matters with you?

Mr. Schwanenberg. We haven't formed a committee, but we have a very active committee in Alameda County, in which all of the defense council and all of the municipalities are represented. All of these problems are taken up and discussed and handled through them. We could have a meeting within an hour from now.

Mr. Sparkman. Has that council or committee or any committee made any effort to have a meeting?

Mr. Schwanenberg. I don't believe so, although we have contacted the various Government agencies, the F. B. I., the United States attorney's office and all the agencies that we knew about.

Mr. Sparkman. That was prior to Friday.

Mr. Schwanenberg. That's right.

Mr. Sparkman. But we understand now that the authority is vested in one man.

Mr. Schwanenberg. Up to this moment I didn't know. I wasn't aware of that fact.

EFFORTS TO CONTACT AUTHORITIES

Mr. Fisk. Congressman, as I said a few minutes ago, I mailed a letter and was told it should have gone, after a lot of time was wasted trying to find the right person, to the commanding general of the Army in this area. That letter was sent to him; it has been there for some time and I have yet to hear from him.

Mr. Sparkman. Yes; but you must appreciate this fact: That prior to the President's Executive order and prior to his receipt of instructions under that Executive order he was probably as badly in the dark as you were.

Mr. Fisk. I am perfectly willing to grant that, but let us not have the idea prevalent here that nobody has made any attempt to find out.

Mr. Sparkman. No; the thing I am trying to get across is that things have been changed materially since Friday, and I simply offer it as a suggestion that you gentlemen make an effort to establish contact with General DeWitt or someone.

Mr. Fisk. I am willing to keep trying.

Mr. Sparkman. Or someone under him whom he charges with that responsibility. Personally, I think that such a contact would be welcomed by those in authority, and I think it would be a fine thing for you to do it.

Here is one other point that I want to be sure that we get clear. Reference has been made several times to the fact that in dealing with these hardship cases, and even in defining dangerous zones or strategic areas, and so forth, the local authorities probably knew more about it than the others. Of course, that is true and they should be used; any information that they have should certainly be made use of. But I don't believe any of you gentlemen want to leave the impression that the final decision in any of these matters should rest with anyone except the one who has the responsibility of the coast defenses. Isn't that correct?

Mr. Fisk. Right.

Mr. Schwanenberg. Right.

Mr. Sparkman. In other words, in every instance final decision would be his?

Mr. Fisk. That is right.

Mr. Schwanenberg. I just want to say this in order to clear anything that might have been said. As far as the cities on our side have been concerned, we have received the finest of cooperation from both the Army and the Navy. The cooperation has been wonderful and they have assisted us to the limit of their ability and possibly to the limit of their power to do so. We have very friendly relations with all of them.

Mr. Fisk. That is correct. That goes for our city.

The Chairman. Gentlemen, we appreciate very much your coming here this morning. We have learned some very valuable facts from this panel. We are very grateful, as I say, for your attendance here. I have traveled about 50,000 miles and it is nice to be back home looking into the faces of my constituents. We thank you very much.

We will stand in recess for 5 minutes.

(Whereupon a short recess was taken.)

The Chairman. The committee will please come to order.

Mrs. Crivello? Congressman Sparkman will ask the questions.

TESTIMONY OF MRS. JOHN DAMATO, TESTIFYING FOR MRS. FRANCESCA CRIVELLO, SAN FRANCISCO, CALIF.

Mr. Rispoli. I am Mr. Rispoli, of the Italian Welfare Agency. Mrs. Crivello does not speak English and I prefer her daughter, Mrs. Damoto, speak.

Mr. Sparkman. You are the daughter of Mrs. Crivello?

Mrs. DAMATO. Yes.

Mr. SPARKMAN. Mr. Rispoli, are you connected with the family?

Mr. RISPOLI. No, no. I am executive secretary of the Italian Welfare Agency, which is a Community Chest agency.

Mr. SPARKMAN. Mrs. Damato, will you give Mrs. Crivello's full name?

Mrs. DAMATO. Francesca Crivello.

Mr. SPARKMAN. Where does she live?

Mrs. DAMATO. 2751 Hyde Street, San Francisco.

Mr. SPARKMAN. Who lives with her?

Mrs. DAMATO. Two sons and one daughter are living there at the present time.

Mr. SPARKMAN. What are the names of the children?

Mrs. DAMATO. One is Nicholas Crivello. The second is Vincent Crivello, and the other Tillie Crivello.

Mr. SPARKMAN. Do these children work?

Mrs. DAMATO. Yes.

Mr. SPARKMAN. What do they do?

Mrs. DAMATO. Nicholas is a police officer in San Francisco and Vincent had his own business until 3 days ago when he entered the Naval Reserve on Treasure Island. He is in the Navy now. Tillie stays home. She takes care of the house with my mother.

Mr. SPARKMAN. Who supports your mother?

Mrs. DAMATO. My brother, Nicholas.

Mr. SPARKMAN. She is a widow?

Mrs. DAMATO. Yes.

Mr. SPARKMAN. Is her home in a prohibited or restricted area?

Mrs. DAMATO. Yes; it is in a prohibited area.

Mr. SPARKMAN. Is she a citizen?

Mrs. DAMATO. No.

Mr. SPARKMAN. Are the children citizens?

Mrs. DAMATO. Yes; we were all born here in the United States.

Mr. SPARKMAN. How many children are there in all?

Mrs. DAMATO. Eight.

Mr. SPARKMAN. And all eight are American citizens?

Mrs. DAMATO. Yes.

Mr. SPARKMAN. One is a police officer of the city of San Francisco?

Mrs. DAMATO. Yes.

Mr. SPARKMAN. One is in the United States Navy?

Mrs. DAMATO. The United States Navy. Then I have another one in the United States Navy in Pearl Harbor.

Mr. SPARKMAN. You mean another brother?

Mrs. DAMATO. Yes.

Mr. SPARKMAN. You have two brothers in the Navy?

Mrs. DAMATO. Yes.

Mr. SPARKMAN. Will it be necessary for your mother to move tomorrow?

Mrs. DAMATO. Yes. She will be the only member in the family who has to move and she owns her own home here. The family owns the home.

Mr. SPARKMAN. The family owns the home?

Mrs. DAMATO. The family owns the home; yes. She is the only one who has to leave home. She has to leave and she feels badly about leaving the rest of the family. She is the only one that has to go.

Mr. SPARKMAN. Where will she go?

Mrs. DAMATO. To my sister. I have a married sister living in Greenwich Street in San Francisco.

Mr. SPARKMAN. In the same city?

Mrs. DAMATO. Yes.

Mr. SPARKMAN. And she will go over to the home of your married sister?

Mrs. DAMATO. Yes. But she feels she should be in her own home. She feels more independent.

Mr. SPARKMAN. And how long has she lived in the United States?

Mrs. DAMATO. Forty years.

Mr. SPARKMAN. Where was she born?

Mrs. DAMATO. In Palermo, Sicily, Italy.

Mr. SPARKMAN. How old is she now?

Mrs. DAMATO. Sixty-two.

Mr. SPARKMAN. How does it happen that she never became an American citizen?

ILLITERACY AS BAR TO NATURALIZATION

Mrs. DAMATO. She was illiterate. She didn't know how to read or write Italian either, and then when she came here she started to raise this large family and she didn't have time for anything. She just worked night and day and it never entered her mind in any way that she should become a citizen for any reason, because she always felt loyal to the United States. In fact, she always feels that this is her own country. And now when she is ordered to evacuate she feels that she is a citizen and shouldn't be treated that way.

Mr. SPARKMAN. Your father was not an American citizen?

Mrs. DAMATO. No. He was illiterate also and it never entered his mind either to become a citizen because he didn't know how to read or write and it is difficult for anyone who doesn't know a language.

Mr. SPARKMAN. Suppose later it becomes necessary to move still farther into the interior, where will she go?

Mrs. DAMATO. She has nowhere to go.

Mr. SPARKMAN. Do all of the children live in San Francisco?

Mrs. DAMATO. We all live here in San Francisco.

Mr. SPARKMAN. With the exception of the one that is at Pearl Harbor?

Mrs. DAMATO. Yes.

Mr. SPARKMAN. Does she feel that some provision should be made whereby cases such as hers would be taken care of?

Mrs. DAMATO. Yes; she does. She feels that there should be something done.

Mr. SPARKMAN. I am sure, however, she realizes that in a time of great national emergency such as this is all of us are going to be called upon for sacrifices.

Mrs. DAMATO. Yes; she understands that.

Mr. SPARKMAN. And that if she does go or if she does have to move farther into the interior, that will be reckoned as her sacrifice in winning the war.

Mrs. Damato. Yes; she realizes that.

Mr. Sparkman. Do you have anything further to say, or I wonder if your mother would like to add anything to what you have already said?

Mrs. Damato. She can't speak very good English, though, but she does feel as if she shouldn't be treated as an enemy alien—as a dangerous alien. She thinks she ought to have a little more consideration because she has two sons in the service and she has been here for years, most of her life. As far as she is concerned she feels as much a citizen as we American-born citizens. All her sentiments, all her feelings are for the United States. She has no thought of Italy in any way.

Mr. Sparkman. And any distinction between her and the rest of us would be technical?

Mrs. Damato. Yes. She raised all her children here and we are all Americans. We all have American sentiments and feelings. She always thought of this country as her own country and she thinks she ought to be treated in a more considerate manner, that she shouldn't be sent away from her home. That is the way she feels about it. She feels that she is being sent away, while the rest of the family are being allowed to stay.

Mr. Sparkman. Of course, you appreciate the difficulty of our drawing the line at some particular dividing point?

Mrs. Damato. Yes; I understand. But she thinks that something should be done to sort out the friendly people and send them back to their homes.

Mr. Sparkman. You think there might be some system of registration?

Mrs. Damato. I think so. I think there should be.

Mr. Sparkman. A requirement to carry an identification card, a permit of some kind?

Mrs. Damato. And then people who have known her all these years, know her character and know her ways, could sponsor her. She could have sponsors for her.

Mr. Sparkman. I believe you agree with me that we all have a feeling that in solving this problem every effort will be made to see that proper provision is made for deserving cases?

Mrs. Damato. Yes.

Mr. Sparkman. This is one problem that must be solved without a great deal of time in which to work out the details?

Mrs. Damato. Yes.

Mr. Sparkman. But I believe that we can feel certain that every effort will be made to see that all deserving persons receive full and proper consideration.

Mrs. Damato. And then she is under a doctor's care. She goes there about once a month for her heart condition and blood pressure.

Mr. Arnold. Do you feel that after she is removed from her home to that of your sister that, if it is possible, the Government should have a reviewing agency?

Mrs. Damato. Yes.

Mr. Arnold. To carefully go into individual cases, and where they are satisfied beyond a doubt that such persons as your mother are loyal to the United States, they should then be allowed to return to their home under some sort of license or identification?

Mrs. DAMATO. Yes. I think that there should be. Yes, that is what I think should be done.

Mr. ARNOLD. And then not be removed in future evacuations?

Mrs. DAMATO. Especially if they should have to evacuate into the interior. We don't want to see her go away because she is alone and she isn't well.

Mr. ARNOLD. We hope that will be worked out.

Mr. SPARKMAN. Have any of the children been educated in Italy?

Mrs. DAMATO. No.

Mr. SPARKMAN. Have any of them been back to Italy?

Mrs. DAMATO. No. We have always been here in San Francisco.

Mr. SPARKMAN. What degree of education have they received in this country?

Mrs. DAMATO. Most of them just went through grammar school and a few of them had 1 or 2 years of high school, but they have never been to college. None of us has been to college.

Mr. SPARKMAN. All of them have been engaged in various activities?

Mrs. DAMATO. All of them have been engaged in various activities, yes.

Mr. SPARKMAN. They have all been law-abiding citizens?

Mrs. DAMATO. Oh, yes. They have all got jobs, you know.

Mr. SPARKMAN. Thank you very much. We appreciate your coming and presenting this case to us.

Mrs. DAMATO. Thank you.[1]

Mr. SPARKMAN. Mrs. Maniscalo.

Mr. ARNOLD. Let us have the entire family. We will make room for you up here.

Mr. RISPOLI. This is just part of the family. There are 12 in the family.

TESTIMONY OF MRS. LUCIANO MANISCALO, SAN FRANCISCO, CALIF.

Mr. ARNOLD. What is your name and address?

Mrs. MANISCALO. Luciano Maniscalo, 1846 Powell Street.

Mr. ARNOLD. North Beach?

Mrs. MANISCALO. Yes, sir.

Mr. ARNOLD. What are the ages of you and your husband?

Mrs. MANISCALO. My husband was 59 years old on February 14th and I was 48 January the 12th.

Mr. ARNOLD. And how long have you been married?

Mrs. MANISCALO. Thirty years on "Disaster Day," the 7th of December.

Mr. ARNOLD. How many children do you have?

Mrs. MANISCALO. Twelve.

Mr. ARNOLD. Are some of the children in the armed services?

FOUR CHILDREN IN THE ARMED SERVICES

Mrs. MANISCALO. One is in the United States Navy; he has been there 7 years. One is on a United States transport; he has been there a couple of months. One is in the Army; he is in Tacoma, Wash;

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[1] The committee was later advised by Mrs. Damato that her mother had been allowed to return to her home.

My daughter is in the ambulance corps and the other was reclassified for the Army. I don't know what class yet. We are waiting for his class.

Mr. ARNOLD. The one in the Navy is a volunteer?

Mrs. MANISCALO. He volunteered 7 years ago. He finished 7 years on the 18th of January.

Mr. ARNOLD. And the one in the transport service, of course he volunteered for that service?

Mrs. MANISCALO. He volunteered for the transport. And there is one in the Army. He was drafted on June the 3d of 1941. My daughter volunteered in September. I don't remember the date; she is the one in the Ambulance Corps.

Mr. ARNOLD. Which children are here with you today?

Mrs. MANISCALO. Well, there is one more small, one between them [indicating].

Mr. ARNOLD. Give their ages.

Mrs. MANISCALO. Luciano, he is 14. Rosie, she is 6. Michael is 10 and Angelino will be 4.

Mr. ARNOLD. And where are the other four children?

Mrs. MANISCALO. Home.

Mr. ARNOLD. What are their ages?

Mrs. MANISCALO. Marion, she is 21; Joseph, 16; and Theresa, she is going to be 9, and Frances is 12.

Mr. ARNOLD. What occupation has your husband practiced for the last 20 years?

Mrs. MANISCALO. Well, at first he used to work at the Union Iron Works and he went to Alaska. Then he got his boat and he has been a fisherman for 20 years.

Mr. ARNOLD. He bought a boat and has been a fisherman?

Mrs. MANISCALO. Yes.

Mr. ARNOLD. For 20 years?

Mrs. MANISCALO. Twenty years he has been a fisherman.

Mr. ARNOLD. Was he able to make a good living at crab fishing?

Mrs. MANISCALO. Well, when they was catching crab they was doing all right. Sometimes yes, sometimes no.

Mr. ARNOLD. He raised a pretty good sized family, though.

Mrs. MANISCALO. Yes.

Mr. ARNOLD. And apparently a fine, patriotic family. Has your husband been able to obtain any work since the 7th of December?

Mrs. MANISCALO. No, sir.

Mr. ARNOLD. He was barred from fishing after December 7?

Mrs. MANISCALO. That's right.

Mr. ARNOLD. And he has been without work since?

Mrs. MANISCALO. He hasn't been working since.

Mr. ARNOLD. Do you rent your own home?

Mrs. MANISCALO. Yes.

Mr. ARNOLD. What rent do you have to pay?

Mrs. MANISCALO. Thirty dollars beside gas and electric.

Mr. ARNOLD. How are you able to make ends meet since your husband became unemployed?

Mrs. MANISCALO. Well, one of my boys, the one that is on the transport, he gives me $50 and another boy gives me $20 a month, and whatever my daughter makes, what she can spare, she gives me.

She makes $18 a week and she gives me whatever she can spare out of it.

Mr. Arnold. None of your children are married, are they?

Mrs. Maniscalo. My son in the Navy got married just before he left for Pearl Harbor.

Mr. Arnold. His wife is back with her folks?

Mrs. Maniscalo. She is in Long Beach.

Mr. Arnold. Are you a citizen and is your husband a citizen?

Mr. Maniscalo. My husband is not a citizen, but I am a citizen. I lost my rights, but I took my citizenship. I lost my rights when I married him, and then in 1934 I got my papers out.

Mr. Arnold. When did he come to the United States?

Mrs. Maniscalo. August 2, 1901.

Mr. Arnold. And where has he lived since he came to this country?

Mrs. Maniscalo. He arrived in New York City and then he went to Buffalo, N. Y. Then he went to New Orleans and he came to Pensacola where I was born, and we got married there.

Mr. Arnold. How long has he been in San Francisco?

Mrs. Maniscalo. Since March 12, 1917.

Mr. Arnold. You say you were married in Pensacola?

Mrs. Maniscalo. Yes. I was born there.

Mr. Arnold. That is your home?

Mrs. Maniscalo. That is my home.

Mr. Arnold. Has your husband made any effort to become a citizen?

Mrs. Maniscalo. Oh, yes; many times. He went in 1932. He was examined and he passed a hundred percent, him and his two witnesses. But he don't know how to write his name, and I have tried since and he can't learn yet.

Mr. Arnold. He can't learn it?

Mrs. Maniscalo. No. Sometimes he even cried. He tries ot write and he can't do it.

Mr. Arnold. Can he write in Italian?

Mrs. Maniscalo. No.

Mr. Arnold. He has no education in Italian?

Mrs. Maniscalo. No, none at all.

Mr. Arnold. Is that the only thing that prevents him from being a citizen?

Mrs. Maniscalo. That is all. We have been trying many times. We even tried as soon as the outbreak of war.

Mr. Arnold. Is he as loyal an American as you are?

Mrs. Maniscalo. I think he is more loyal than I am.

Mr. Arnold. Has he ever returned to Italy?

Mrs. Maniscalo. He has never gone back to Italy. In fact, I don't think he ever wrote to Italy for the last 16 years, so he is more American than I am.

Mr. Arnold. And none of your children has been back there, unless it would be the boy in the Navy?

Mrs. Maniscalo. No. He was born in Pensacola. Three of them were born in Pensacola and nine of them in San Francisco.

Mr. Arnold. And, in fact, he has severed all connections with Italy? I mean, with anyone in Italy? He hasn't written back there for 17 years?

Mrs. MANISCALO. No; for 40 years. He hasn't been to Italy in 40 years.

Mr. ARNOLD. I say he hasn't written back there?

Mrs. MANISCALO. No. We don't know what became of his people or anything. He says his mother is dead and we never write his father.

Mr. ARNOLD. He has never been arrested for any crime?

Mrs. MANISCALO. For what?

Mr. ARNOLD. Your husband has never been arrested?

Mrs. MANISCALO. No. He brought me two crabs one time. He brought me two crabs home one time. He got arrested for bringing some crabs home one day, but I don't call that arrested.

Mr. ARNOLD. I wouldn't think so. Am I correct that you were only on relief during the depression years?

Mrs. MANISCALO. During the depression, and there was another time. Well, it was during depression, I guess. One time they had a very bad season of crab. I was on relief, too, but I don't remember.

Mr. ARNOLD. Does he have any membership in any Italian organizations?

Mrs. MANISCALO. No.

Mr. ARNOLD. He attends no meetings of any kind?

Mrs. MANISCALO. No.

Mr. ARNOLD. In other words, you want to repeat that you think he is as loyal as you, a native-born American?

Mrs. MANISCALO. I think he is just as good an American as I and his sons and his daughters.

Mr. ARNOLD. Do you live in a restricted area?

Mrs. MANISCALO. No; I don't think that is in a restricted area.

Mr. ARNOLD. You don't have to move tomorrow?

Mrs. MANISCALO. No. He used to own his own boat and then he gave it to me.

Mr. ARNOLD. Now, I want a picture of the group. I think that would make a very good picture.

(Whereupon a picture of Mr. and Mrs. Maniscalo and the children present was taken by a photographer.)

Mr. ARNOLD. That is all I have, Mr. Chairman.

The CHAIRMAN. I want to say that you certainly speak very fine English yourself. The only thing that you can say against the record of your husband is that they took two crabs away from him?

Mrs. MANISCALO. Well, he took a couple of crabs and brought them home, and so he got arrested.

The CHAIRMAN. Is that the only time he ever did some "crabbing" with you?

Mrs. MANISCALO. No. Now, don't say that. We do that sometimes. That is the reason we have gotten along for 30 years.

The CHAIRMAN. That is all.

Mr. Tramutolo.

TESTIMONY OF CHAUNCEY TRAMUTOLO, ATTORNEY, FORMER ASSISTANT UNITED STATES ATTORNEY, ALEXANDER BUILDING, SAN FRANCISCO, CALIF.

The CHAIRMAN. You may sit down, Mr. Tramutolo. Who is with you, Mr. Tramutolo?

Mr. TRAMUTOLO. I represent, together with Mr. Rispoli, executive secretary of the Italian Welfare Agency (member agency Community Chest of San Francisco), Citizens' Committee to Aid Italians Loyal to the United States.

The CHAIRMAN. Give his full name to the reporter.

Mr. TRAMUTOLO. Milano Rispoli.

The CHAIRMAN. I want to say that I have known Mr. Tramutolo for 25 years. He is one of the leading attorneys in San Francisco. I have great respect for him. We are pleased to have you appear here Mr. Tramutolo. Congressman Sparkman will interrogate you.

Mr. TRAMUTOLO. Thank you very much. May I make a statement, gentlemen, that will clarify my position here?

REPRESENTS ITALIANS OF SAN FRANCISCO

I speak for a committee of businessmen and merchants of Italian descent, all of whom are citizens, which committee represents the Italian population, citizens and noncitizens, of San Francisco. The estimated population of Italians here, both citizens and noncitizens, is 70,000. Fully appreciating the present emergency this committee met and at its initial meeting unanimously approved my acting as its spokesman in order to present to you what we regard as hardship cases which will be affected by the existing order of evacuation. At this meeting we formulated a plan to present definite problems needing immediate solution. We are not unmindful of the fact that the uppermost and most important thing that should concern everyone is the safety of our country.

You have already heard testimony that a large percentage of our scavengers are aliens. I would rather use the word "noncitizen" than "alien" because many of them have tried to become citizens but were unable to do so because they cannot read or write the English language. May I at this point make this observation, that there are many Italians, who are unable to become citizens under the present law, who are as loyal as many who have obtained their citizenship papers, because they could read and write our language. My remarks will be confined to the Italian situation existing here because I am more familiar with it than I am with the others. I desire to go on record as stating that there is no group in this area, or elsewhere, who are more loyal than those of Italian descent. And we would be delighted to know of any who are disloyal so that we could assist the Government in getting rid of them. Our committee is willing to cooperate at its own time and expense with the Army, Navy, or any other branch of the Government in ferreting out those who are disloyal, because it is to our interest as Americans to get rid of them and to do so expeditiously. In an emergency such as we are now confronted with there are many cases that you would not be aware of unless they were brought to your attention.

You heard this morning a few cases which are examples of many and I shall be pleased to give others to your committee should you desire them, provided that for the time being their names be not revealed. The reason for making this request that their names be withheld temporarily is that the parents do not like the attendant publicity because they have children who are of school age and the publicity would have a tendency to affect these children.

The scavengers' situation presents an important problem that must be dealt with. These people of necessity must start their work after midnight and in the early hours of the morning and finish as soon as possible as the size of their wagons and the number of people who work upon them, if they were to work after 7:30 in the morning, would congest our already overcongested city.

The janitors' organization comprises in membership approximately 3,000, 1,200 of whom are noncitizens, and they must do their work after office hours and work through midnight and until the early hours of the morning and they cannot do so unless the curfew requirements are modified. Under the present military order aliens are required to be off the streets and public places between 9 p. m. and 6 a. m.

I have turned over to Dr. Lamb the scavengers' and janitors' problems and the problems of those who bring vegetables and produce to our markets. The original letter containing these facts and signed by their authenticated representatives have been delivered to Dr. Lamb. In appearing before your committee I want to furnish you with authentic information and not my personal views and conjectures for I know as legislators you want facts and not fiction.

SEVEN TYPICAL HARDSHIP CASES

A case typical of many that I could present is that of a family present in this court today. The mother of this family is married to an American citizen but upon attempting to prove it she was unable to do so. This family has two children and they must vacate under the existing military order of evacuation and they do not know where to go. The two children, who are 9 and 11 years of age, were born here and are attending school. The parents merely ask that the order of evacuation be stayed until the school term ends around May or June of this year. The loyalty of the mother can be vouched for by her neighbors and if a bond were necessary her friends would put up any reasonable bond so as to assure anyone of her loyalty. May I state, Congressman Tolan, that this family lives in your district.

Another case that has been brought to my attention, typical of many others, is that of a widow with eight children, who was born in the United States and who resides in Salinas, Calif. With her eight children she resides on a dairy farm, a half interest in which was left to her by her deceased husband. This widow was born in the United States but lost her citizenship by reason of the fact that she married a noncitizen prior to 1922. As you are undoubtedly aware, anyone who married an alien prior to 1922 lost her citizenship even though born here. This widow has never been out of the United States and her only means of livelihood is the dairy farm of which she owns a half interest and the other half is owned by her brother-in-law, who must vacate because he is an alien. I am sure you can readily appreciate that it would be a tremendous hardship to ask this woman and her children to remove from the dairy farm, which is in a prohibited area. The attorney who represents this woman informs me that he has applied for her repatriation. But I feel that unless more help is given to the local naturalization office the tempo of their work cannot be stepped up. I do not want to be understood as criticizing the immigration and naturalization bureau, or the United States district attorney's office, or the office headed by Mr. Clark, who represents United States Attorney General Biddle in alien problems, because all of them have been most cooperative, but as they are flooded with an unusual amount of work they are unable to handle it because they are understaffed. The naturalization bureau in this district is something like a year behind in its work.

SUGGESTS CHANGES IN NATURALIZATION LAWS

The CHAIRMAN. Eighteen months, I believe.

Mr. TRAMUTOLO. As I said heretofore our committee wants to cooperate with any agency in determining those who are loyal and those who are disloyal, whether they be citizens or noncitizens. Another hardship case that I have in mind is that of the father of a San Francisco born boy who is very prominent and who is now in the Navy and is one of Commander Tunney's righthand men. His father has been a member of the carpenters' union for twenty-odd years and his family consists of his wife and eight children all of whom were born in the United States. The father is unable to become a citizen because he cannot read or write the English language. I am of the opinion that the naturalization laws should be amended so that the determining factor in granting citizenship should be the moral character of the applicant rather than the ability to read and write. I think some modification or recommendation should be made and that in determining one's qualifications for citizenship the test should be, Is the applicant a person of good moral character?

Another case is that of a married man whose wife was born here. They have five children who also were born here. The wife lost her citizenship by reason of her marriage to this man prior to 1922. The husband thereafter acquired his citizenship, but this fact did not automatically restore his wife to citizenship. This situation becomes merely a question of repatriation which she has applied for, but she will not be restored to citizenship for many months to come because of the congested condition of the naturalization office in this district, and the Government in this emergency should resort to using auxiliary help which is available here in California. I do not believe the taxpayers should be burdened any more than they are at the present time and the way to obviate any further load being placed on the taxpayers is for the Government to avail itself of the services of patriotic individuals and groups who are willing to aid Government agencies gratuitously.

Under the direction of Hon. C. J. Goodell, judge of the superior court, local members of the bar association selected in excess of 22,000 air-raid wardens here in San Francisco who are to perform their work at no expense to the taxpayers; likewise auxiliary police and firemen were selected, none of whom are to be paid, who are rendering their services for patriotic reasons. There should be established a committee or committees for determining the loyalty of the people who are affected by the existing military order of evacuation.

The Chairman. All right.

Mr. Tramutolo. Our executive committee comprises 15 members and we can increase this number if the military authorities or the Federal Bureau of Investigation or any other Government agency should ask that it be done, and we would be willing to function as a committee to determine the loyalty of the people affected by the existing order of evacuation. We are mindful of the fact that we are not fighting to preserve property rights but that we are fighting for our lives and to preserve our liberty.

THE DIMAGGIO FAMILY

The Chairman. Tell us about the DiMaggios. Tell us about DiMaggio's father.

Mr. Tramutolo. Neither of the DiMaggio seniors is a citizen. They have reared nine children, five boys and four girls, eight of whom were born in the United States and the other one is a naturalized citizen. Three of the boys are outstanding persons in the sports world. Joe, who is with the Yanks, was leading hitter for both the American and National Leagues during the years 1939 and 1940. His younger brother Dominic is with the Boston Red Sox and his other brother, Vincent, is with the Pittsburgh team of the National League. All three are so outstanding in their profession that their record is well known to every sports follower. With the DiMaggio children and grandchildren they are a sizable number and if you could have attended, as I did, the wedding of Joe DiMaggio here a few years ago, you would have some realization of the size of the DiMaggio clan. The senior DiMaggios, though noncitizens, are as loyal as anyone could be.

The Chairman. What is the older DiMaggio's occupation?

Mr. Tramutolo. DiMaggio, Sr., is a fisherman and his two older boys, Tom and Michael, are also fishermen. Joe and his brother Dominic and the oldest boy of the family, Tom, own and operate a splendid restaurant among the many located in the North Beach section of our city. To evacuate the senior DiMaggios would, in view of the splendid family they have reared and their unquestioned loyalty, present, I am sure you will agree with me, a serious situation. Many of the people affected by the existing order have boys and girls in the armed forces or some branch of the Government doing defense work. I believe that it would be destructive and have a tendency to lower morale, which all of us are interested in building up, if information should reach those in the armed forces that their relatives have been ordered to move out of this area because unfortunately they are not citizens. As I have stated, all of us are interested in building up morale which is indispensable in our winning this war and preserving our liberty.

MOST OF US ARE DESCENDANTS OF ALIENS

The Chairman. In other words, this war is going to be over some day and we still have got to deal with different races. Is that true?

Mr. Tramutolo. Ours is a cosmopolitan nation and as to many of us it would not be necessary to go back farther than one generation to establish the fact that we are descendants of aliens. As I stated heretofore we should evolve some plan whereby we could determine the loyalty of the people under consideration by your legislative committee. I am positive that none of the members of our committee nor the people whose cause we are pleading are in sympathy with Italy's entry into this war. Mussolini's following, if it exists, is at best negligible, and his followers in this area can be numbered on one's hand cutting off four fingers. This is a crude way of expressing it but what I am trying to convey to you is this: How could there possibly be any sympathy for Mussolini who plunged his country into war and hasn't the faintest idea why he is in it and by his stupid act has used and is using millions of boys and girls as cannon fodder? There is no possible way that this war can end by which Italy will come out successfully. So if there is any doubt in the minds of your legislative committee or anyone else as to any person of Italian descent having any sympathy for Mussolini's cause, I want to add that we would like to know them as we are convinced that we could handle their cases very effectively ourselves. Obviously, it would be to our interest to do so.

Mr. Sparkman. Of course, you recognize the fact that there are some areas from which everybody must be evacuated?

Mr. Tramutolo. Yes. That would apply to citizens and noncitizens as well.

Mr. Sparkman. Citizens and noncitizens alike, yes. What would be your recommendation as to the method of taking care of these hardship cases? Would it be some kind of a permit to remain or move back in?

COMMITTEE WOULD INVESTIGATE LOYALTY OF INDIVIDUALS

Mr. Tramutolo. Yes. Let me explain what we have in mind, Mr. Sparkman. Suppose you were the one in authority in this area and you said, "All right, Mr. Tramutolo, I will give your committee a list of aliens in the San Francisco area to vouch for." In that event we would bend backward in our care in making our investigation of such people, for the instant you distrusted any of our recommendations, we would be hurting the people whom we were endeavoring to help. This work would not be undertaken for pay from the city, State, or Federal Government, but we would do this work in the knowledge that we were not only undertaking a worthy cause but that we would also be rendering a patriotic service to our country. We would undertake to give you every possible assurance as to the loyalty of the individual involved.

We have in San Francisco, and I assume this is true elsewhere, many cases where the husband is a citizen but the wife is not, and vice versa, and many of these people have children who were born here.

Mr. Sparkman. You would not develop a system whereby there would be any group permits?

Mr. Tramutolo. No.

Mr Sparkman You would let each case stand upon its merits?

Mr. Tramutolo. Each case should be thoroughly investigated, for we would realize that if the investigation were slipshod it would hurt the people whom we were trying to help and certainly would hurt our country with whose safety we are all concerned.

Mr. Sparkman. And you would not advocate, I am sure, taking the final decision away from the one who is responsible for the defense of this area?

Mr. Tramutolo. Not at all. There should be no difference as to where responsibility should lie. It should lie with those in charge of our defense. And if in the wisdom of General DeWitt, who is in charge on the west coast, after submitting to him the problem of the individual involved, he should say, "Well, I am sorry, but the individual has to be evacuated," that should be final, as authority should rest with the one in charge of the defense of this State.

Mr. Sparkman. Have you made any effort to contact General DeWitt or anyone under him with reference to some such plan?

Mr. Tramutolo. Well, we have gone so far as to have had a meeting with State Attorney General Earl Warren, who in turn suggested that we should contact General DeWitt with respect to the problems we explained to him (State Attorney General Earl Warren). I am sure you will agree that General DeWitt is tremendously overworked and nothing would please us more than, at his convenience, to sit down and give him our views in line with what I have explained here today. If I recall correctly, England went through the very same thing that we are going through now and England determined, so far as aliens in her country were concerned, that they would have to prove their loyalty before any consideration would be given them and, mind you, they required Americans to do the very same thing as they were classed as aliens. I do not believe it should be done on a group basis. I believe each case should be presented individually. Further, some machinery should be set up so as not to put additional burden upon the Army authorities or Government bureaus, and it is in this respect that we recommend that auxiliary help be resorted to from groups that can be trusted to do this work of investigating. There are in this area many loyal persons who are awaiting their citizenship but whose cases cannot be acted upon because the naturalization office is already overburdened with work and in my opinion is understaffed. This situation could be relieved if the Government were to accept auxiliary help along the lines that I have indicated heretofore such as was used in selecting air raid wardens and auxiliary police and firemen.

Mr. Sparkman. In the event it should be necessary to evacuate large numbers of Italian aliens from this area what proposal would you offer with reference to the handling of the evacuation and also with reference to employing those people after they have been evacuated?

EVACUATION AID

Mr. Tramutolo. I have not given thought to the question that you have asked me nor do I at present have a solution for it. However, if an order should be issued requiring Italian aliens to remove from the Coast inland, say twenty-five, fifty or more miles, we would endeavor to ascertain what counties would receive them and I feel that the counties would welcome them for they would be of a desirable type.

Mr. Sparkman. I believe that is all, Mr. Chairman.

The Chairman. Chauncey, I think you have a pretty good idea there. In other words, you are not quarreling with the jurisdiction of General DeWitt?

Mr. Tramutolo. Not at all.

The Chairman. Or the Army and the Navy. But you want to be helpful. Now, the evacuation goes into effect tonight; of course we can't do anything about that. But there will be other evacuations ordered under the Executive order of the President. That is what we are concerned about. That order provides, of course, that all citizens can be evacuated.

Mr. TRAMUTOLO. That is true.

The CHAIRMAN. If I get your testimony clear, you feel this: That the law enforcement officers of the State of California as well as committees such as you describe can be helpful to General DeWitt in the reduction of hardship cases?

Mr. TRAMUTOLO. That's correct.

The CHAIRMAN. All right. I think that Attorney General Warren should see General DeWitt. We saw him Saturday afternoon. You feel, Chauncey, that you could take the block where you live, for instance, and you could discover and report to General DeWitt or the F. B. I. any disloyal person in that block pretty accurately, could you not?

Mr. TRAMUTOLO. Without any doubt.

The CHAIRMAN. I think you have got something there. We will contact him again before we leave and tell him what you say and what the other witnesses have said here. I want to repeat again that the war is going to be over sometime. We hope it will be very soon. And we will still have to live with our people. Is that true?

Mr. TRAMUTOLO. Yes.

The CHAIRMAN. Mr. Tramutolo, the papers you submitted citing two hardship cases will be made a part of the record.

(The papers referred to above are as follows:)

TWO SAMPLES OF HARDSHIP RESULTING FROM EVACUATION

MARGUERITE VALDEZ VEZZOLO

Born at San Ardo, Calif., February 22, 1898. Resides in Salinas, Calif.

Married Battista Vezzolo, a native of Italy, on January 3, 1917, at Gonzales, Calif. Battista Vezzolo died in this country January 27, 1941.

By reason of her marriage to an alien, Mrs. Vezzolo lost her citizenship. A petition for her repatriation is now pending.

She has eight children; the oldest is 25 years old and the youngest 5 years old. All were born in this country.

She owns a one-half interest in dairy property which is in prohibited area. The other half interest is owned by her brother-in-law who is an alien. Mrs. Vezzolo and her children and also her brother-in-law will have to move out of the prohibited area.

MR. AND MRS. EMILIO RESTANI

Mr. Restani has been in the United States since 1901. He married Mrs. Restani, who was an American citizen, prior to 1922 and by reason of her marriage Mrs. Restani lost her citizenship and there is now pending a petition for her repatriation.

They have five children, all born here.

Inasmuch as they are in prohibited area they will have to move out of San Francisco as soon as the military authorities put into effect the present order that all aliens of enemy countries must move out of area No. 1 in which San Francisco and Alameda Counties are included.

CHAUNCEY TRAMUTOLO, ATTORNEY AT LAW,
San Francisco, March 18, 1942.

Mr. LEONARD A. THOMAS,
Tolan Congressional Committee, San Francisco, Calif.

DEAR LEN: Following our conversation of yesterday and our previous ones, I suggest that pending appropriate amendments to the naturalization laws the following classes of persons should be exempt from the existing military evacuation orders:

(1) Persons who have lost their citizenship (expatriated) by reason of marriage to aliens. This, of course, applies only to those who married aliens prior to the passage of the Cable Act in September 1922.

(2) Persons whose applications for citizenship were filed and/or pending prior to December 7, 1941.

(3) Persons who are married to citizens and have lived in the United States since July 1, 1924, and whose moral character can be proven.

(4) Persons who are now eligible to file for their second papers.

(5) Persons, though unable to read or write the English language, who have dependents (residing in the United States) and who have themselves resided in the United States since July 1, 1924.

The Dickstein bill which I understand has passed the House and is now pending before the Senate is a step in the right direction, but in my humble opinion does not go far enough.

If the naturalization director of this district is in need of additional help to hasten action on the foregoing enumerated classes of cases, the committee of which I am chairman will gladly furnish competent help without expense to the Government.

Please don't forget to let me hear from you before you return to Washington.

I trust that the foregoing few suggestions will be of some help to you in working out the program you contemplate with the military authorities and the naturalization bureau.

With kindest regards, I remain,
Sincerely yours,

CHAUNCEY TRAMUTOLO.

Mr. TRAMUTOLO. Mr. Rispoli of the Italian welfare would like to say a few words.

TESTIMONY OF MILANO RISPOLI, EXECUTIVE SECRETARY, ITALIAN WELFARE AGENCY, AND MEMBER AGENCY COMMUNITY CHEST OF SAN FRANCISCO, SAN FRANCISCO, CALIF.

Mr. RISPOLI. I just want to say a few words. In the first place, there are naturally quite a few social problems that will arise. All the people come to our agency, we being the recognized agency. Mr. Tramutolo has covered most of the hardship cases, so I would just like to draw my conclusions.

I recommend that the Government, needing employable persons in defense industries, consider the employable Italian aliens for work in any industry, providing that complete allegiance to the war effort can be properly established.

Secondly, that legislation be passed by Congress permitting Italian alien residents, of good moral character, who have resided in America continuously since July 1, 1924, to obtain citizenship, although illiterate.

Thirdly, in the event that an evacuation is necessary, Federal funds be provided for relief to prevent hardship to cases of needy individuals because of State and county indigent and settlement laws and the inability of these Government units to provide adequate funds immediately.

Fourth, for the unity in this country the Government should augment the publicity program, which will strengthen the morale of these evacuees.

I can say that the people are a little nervous, due to all these regulations coming through at this time. However, I am sure that they are all willing to cooperate, but we would like to know if this is the end, and if not, what is eventually coming, so we can advise them. As the previous group has said, local representatives and the heads of the Federal agencies are more or less at a loss to advise them, as all the regulations come direct from Washington. If we could explain these regulations to them it would probably stop a lot of people going to the Government agencies. We are always glad to be of service to the community chest agencies. Some members of the community-chest agencies are here and they can testify, if you wish.

We are interested in people. We are also interested in the fact that we are at war.

The CHAIRMAN. Of course, I think we all appreciate the fact that this crisis came on us all at once. I know that everything that is said here is not in criticism of the Government or any of its agencies. We are simply here to get the facts and to pass them on to Congress so that we can be helpful.

Mr. TRAMUTOLO. No criticism at all is intended. Any suggestions are with a view to alleviating the conditions. We have nothing but praise for those who have contacted us as well as your committee.

Mr. RISPOLI. The Post Office Department was very good to those who applied for certificates of registration. The people felt right at home and they did an extra fine job.

(The following reports were submitted by Mr. Rispoli subsequent to the hearings.)

SUMMARY OF PROBLEMS AFFECTING THE ITALIAN COMMUNITY OF SAN FRANCISCO

(Report by Milano Rispoli, Executive Secretary, Italian Welfare Agency, and Member Agency Community Chest of San Francisco, San Francisco, Calif.)

I shall present the problems which have arisen since December the 7th in the Italian colony of San Francisco, and which affect the Italian aliens of this group.

The most important and immediate problem is that of unemployment. The first factor is the complete loss of employment to Italian alien fishermen for the duration of the war. The second factor is the loss of employment for all Italian aliens working in prohibited areas. This group includes men who have been working in certain shipyards, fisherman's wharf concerns, and other business establishments located in these zones.

The third factor is that the curfew law in restricted areas, affects several hundred Italians employed as scavengers or garbage collectors, janitors, restaurant and hotel employees, produce market employees; who must work late at night and early in the morning.

The fourth factor is that the fishermen are not entitled to unemployment insurance benefits, since they have worked independently from organized industry. While some of these can be supported by children of working age, most are in bad financial straits due to their lack of resources, as well as their inability to secure future employment. This particular situation causes many to apply for public relief, which is inadequate today in view of the rise in the cost of living.

The second major problem which has arisen since December the 7th is the one of morale at home. Characteristically, the Italian is a home-loving man. His wife and his children come first in his mind and emotions. He is also a highly emotional individual by nature. We constantly find in our welfare work much fear in our people that families will be broken up through new regulations. One example is Mrs. Crivello who fears that she will be separated from her children and grandchildren.

Another factor in the field of morale, is the psychological effect upon the second-generation Italians who are serving in the armed forces of the United States when these young men know there is great trouble going on in their own homes. An example of this is the Maniscalco case.

The third morale factor is that of tremendous fear among the Italian aliens of more drastic action on the part of the United States Government. They fear the loss of personal property and that they will be forced to enter internment camps, although they are 100 percent American in feeling and in action. One result of these pressing fears are the three suicides of last week: Martino Battistessa, Stefano Terranova, and one other.

My recommendations to alleviate the present situation are as follows:

I recommend that all employable Italian aliens be considered by the Government for employment in any industry, providing that complete allegiance to the war effort can be properly established. Second, that legislation be passed by Congress permitting Italian alien residents of good moral character, who have resided in America continuously since July 1, 1924, to obtain citizenship although illiterate. Third, that in the event that mass evacuation is necessary, Federal funds be provided for relief to prevent hardships to cases of needy individuals because of the State and county indigent and settlement laws, and the inability of these government units to provide adequate funds immediately. Fourth, that for the unity in this country, the Government augment the publicity program which will strengthen morale of all peoples, regardless of their nationality to unite for victory for America.

In behalf of the Italian community, I wish to commend officials of Federal agencies, such as those of the Department of Justice, the United States Attorney General's office, the United States Post Office and others, for their very fine treatment of our people in enforcing the enemy alien regulations.

Italian Welfare Agency,
Milano Rispoli, *Executive Secretary.*

STATISTICS OF ITALIAN ALIENS IN CALIFORNIA

California	51, 000
San Francisco (city and county)	12, 000
Monterey (city and county)	1, 700
Alameda (not including Oakland)	4, 500
Oakland	2, 800
Contra Costa County	1, 739
San Mateo County	2, 400
Marin County	650
Total	25, 789

1940 United States Census

Italians in California (born in Italy)	100, 910
Italians in San Francisco (born in Italy)	24, 036

HISTORY OF CASES AFFECTED BY FEDERAL REGULATIONS

Cases of Giovanni Peirano and Angelo Romero.—These are individuals who have become public charge and responsibilities of Santa Cruz and Santa Clara Counties, respectively. Both are over 60 years of age and in poor health, and permanently unemployable. They have no resources whatsoever nor relatives who could assist, necessitating their applying for public aid through the public welfare department. However, during normal times they would have been advised to return to their county of legal residence where we would be sure that care could be provided. Since there have been many changes we do not know how to advise these cases nor would we ask them to secure permission to travel until definite plans can be worked out. Both cases will be permanent charges for the remainder of their lives.

Case of Rodolph Monciardini.—This is a single man about 43 years of age, employed by Ghirardelli Chocolate for the past 20 years. He was required to give up his job and home because both were located in a prohibited area.

He speaks no English at all and although entitled to unemployment benefits will have difficulty in reestablishing himself in another industry since he is not known in other sectors of the State where he may be required to move.

I am sure this type case should be given a license, his loyalty to the United States be determined as well as provide necessary bond from his employer or other reliable person.

Case of Vittoria Santo, Castroville, Calif.—An alien mother whose husband is a citizen. She has three sons in the United States Army in the Philippines, while another son is with the Navy in this country. I do not have the exact details of this case but these are the approximate facts and I am sure her history can be obtained if it is required.

Case of Ermete Vanni.—This case is typical of family alien, without funds, because of the internment of Mr. Vanni who was the sole support of wife and two children. Mrs. Vanni is about 35 years of age, in very poor health, has been hospitalized twice in the last 3 years and is unable to find employment. It is necessary that she remain at home to take care of the children; one of whom has been confined to bed for heart trouble for over 3 years. Mr. Vanni was interned as he was a member of the Italian War Veterans, which organization is known as "Ex Combattenti."

Mrs. Vanni applied for public assistance, but there has been much delay in her case since the public assistance agency was of the opinion that this case should have received Federal aid through the United States Employment Office, which, of course, was incorrect. Nevertheless, this family had been accustomed to a higher standard and if it will receive public aid it will be far below its standard of living. If more would be known regarding disposition of Mr. Vanni's case by the Federal authorities, plan could be made for the care of family.

There are many Italian families affected by the internment of the wage earner and we believe that in cases requiring assistance consideration should be given for possible Federal aid.

STATEMENT BY VICTOR DI SUVERO, SAN FRANCISCO, CALIF.

I was born in Venice, Italy, in 1888, of Jewish parentage. I went through college and the naval academy, and in 1908 I was given a commission in the Italian Navy. During the last World War, as a lieutenant, I was in command of submarines and also a liaison officer to the British Adriatic Squadron (awarded the British Distinguished Service Cross). In 1921–22 I was in command of a gunboat on the China station. Subsequently, I resigned from the active service; I married and worked in Italy and elsewhere in Europe and Africa for industrial corporations.

In 1931 I left Italy for the last time, having been appointed to Shanghai, China, as the general agent for China of the Italian Shipbuilding Corporations, Ansaldo, Genoa, and Cantieri Riuniti, Triest, accredited to the Government of Chiang Kai-shek. In this capacity I have had several negotiations with the minister of the navy, Admiral Chen Shao-Kuan and the minister of finance, Dr. H. H. Kung.

In 1936 I became the secretary of the municipality of the Italian concession, Tientsin, China, a nonpolitical situation with administrative responsibilities.

In 1938, when the German-Italian collusion began and when the Nazis confiscated in Vienna an inheritance of mine from a relative on my mother's side, I planned to come to the States, an issue that I considered natural, not having any next of kin alive in Europe.

In 1939 the Fascists put in effect their anti-Semitic laws. I was struck from my rank as a commander, naval reserve. I was deprived from all my civil rights and considered as an enemy alien. I was subjected to strict police surveillance and advised to carry on in the capacity of a bookkeeper's clerk. My money was frozen in Italy and I had no resources to pay the voyage for my wife, my four children, and myself. In my struggle to survive until my 5-year contract would be over, I have been valiantly assisted by my wife, who is by birth Italian and Catholic, and who is also vehemently anti-Fascist. As she is the only daughter of a famous Italian admiral who had been a minister of the navy and who died in 1930, the Fascists felt themselves compelled, although very reluctantly, to pay me the money I was entitled to on December 31, 1940.

Two months later, on February 27, 1941, we arrived safely in San Francisco. The Permanent Immigration Visas (N. 5492–7) had been secured through the American consulate general, Tientsin, China, whose officials were well acquainted with the indignities to which I had been subjected, and with the persecution that had reached a dangerous climax.

Here I tried at once to find employment in a suitable capacity in the shipyards; I have visited Bethlehem's, Moore's, Todd's, and so forth, but already in the spring last year there were no defense jobs for aliens.

Then I have worked during 4 months as a janitor in 32° chambers in a cold-storage plant. At last, in November, the Pacific Bridge Co., Alameda, intended to hire me, provided I had a clearance from the Navy Department. Congressman Richard J. Welch and Dr. Max Ascoli, the president of the anti-Fascist Mazzini Society, have sponsored my request in Washington, D. C., but with no results for the time being. In the afternoon of December 7, 1941, I have immediately volunteered for the naval reserve, the polite answer being in the negative on account of age and citizenship requirements.

I resent to be labeled as an enemy aline. I am here not only as a loyal future citizen, but as an allied alien in time of war. I have exhausted all my resources and, under the present circumstances, I am unable to make a living for my family. My four children, ages from 6 to 15, all speak English as their own language and are doing well at school. During their stay in China, and two were born there, they have learned to hate the Japs and to love America.

COPY OF RECOMMENDATIONS OF SAN FRANCISCO SOCIAL WORKERS REGARDING EVACUATION OF ENEMY ALIENS AND CITIZENS

Representatives of immigrant serving agencies of the San Francisco Community Chest met on February 27, 1942, to discuss the alien situation and made the following recommendations to their respective national offices in New York City:

1. The Federal Government to assume total responsibility for the movement of these groups under military orders to evacuate.
2. The Federal Government to designate areas to which they may go and in which they will be given complete military protection.
3. The total cost of this moving and resettlement to be borne by the Federal Government.
4. Complete legal custodianship of property for aliens and citizens so evacuated.
5. Public health protection, including medical care and sanitation.
6. Families to move and remain as a unit except in rare cases where certain members must be isolated.
7. A rehabilitation program to offer these people opportunity to be self-maintaining.
8. The Federal Government to continue financial responsibility until such a rehabilitation program may be accomplished.

Copy of these recommendations has been sent to the Honorable Henry L. Stimson, Secretary of War, Washington, D. C., inasmuch as the War Department had complete control of the situation following the President's proclamation.

The recommendations were made by experienced social workers who considered all factors involved.

LIST OF AGENCIES INTERESTED IN PROBLEM

From minutes of meeting of Committee of Immigrant Serving Agencies, Family Welfare Council, Community Chest of San Francisco, Friday, February 20, 1942

Present: Allen Blaisdell, chairman, International Institute Board, Berkeley; Miss Elizabeth Baker, American Friends Service Committee; Mrs. Sidney Kahn, National Council of Jewish Women; Mrs. Mary Kimber, American Friends Service Committee; Herbert Picard, Hebrew Immigrant Aid Society; Rev. Rugene J. Shea, Affiliated Catholic Charities; Miss Henrietta Tichner, National Council of Jewish Women; Sanford Treguboff, San Francisco Committee for Service to Emigres.

Absent: Frank deAndreis, Department of Immigration and Housing; Mrs. Josephine Duveneck, American Friends Service Committee; Mrs. Russell Hastings, International Institute Board; Mrs. Marjorie Leonard, National Council Committee for Foreign Born; Miss Persis Miller, American Committee to Save Refugees; Milano Rispoli, Italian Welfare Agency, Inc.; Miss Emilie Taylour, Travelers Aid Society; Mark Tomas, American Red Cross; Miss Annie Clo Watson, International Institute; Louis Miniclier, American Red Cross.

Also present: R. Plank, International Institute; Virginia Heck, Young Women's Christian Association; Ruth W. Kingman, Berkeley Community Chest; Wilhelmine Yoakum, Oakland International Institute; Lincoln Kanai, Young Men's Christian Association; Henry Tanis, Japanese American Citizens League; Curtis Roberts, Community Chest of San Francisco; Helen Musser, Travelers Aid Society; Miss Phoebe Bannister, Social Security Board; Emma Gadbury, American Friends Service Committee; Gorman Y. Doubleday, Berkeley; Mary Coxnard, Plymouth Church, Oakland.

The CHAIRMAN. Mike Masaoka.

TESTIMONY OF MIKE J. MASAOKA, NATIONAL SECRETARY AND FIELD EXECUTIVE, JAPANESE AMERICAN CITIZENS LEAGUE, 2031 BUSH STREET, SAN FRANCISCO, CALIF.

Mr. SPARKMAN. First, will you give your name to the reporter?

Mr. MASAOKA. Just to show you how Americanized we are, I have an English name and Japanese tag-end there. Mike Masaoka, I am the national secretary and field executive of the Japanese American Citizens League. This gentleman is Mr. Dave Tatsuno, president of the San Francisco chapter of the Japanese American Citizens League. And Mr. Henry Tani, the executive secretary of our group.

May I make a few statements before going into the general question?

Mr. SPARKMAN. Yes, go right ahead. Be seated, if you wish. Your prepared statement and the material you submitted will be inserted in the record at this point.

STATEMENT BY MIKE M. MASAOKA, NATIONAL SECRETARY AND FIELD EXECUTIVE OF THE JAPANESE AMERICAN CITIZENS LEAGUE, SAN FRANCISCO, CALIF.

On behalf of the 20,000 American citizen members of the 62 chapters of the Japanese American Citizens League in some 300 communities throughout the United States, I wish to thank the Tolan committee for the opportunity given me to appear at this hearing. The fair and impartial presentation of all aspects of a problem is a democratic procedure which we keeply appreciate. That this procedure is being followed in the present matter, which is of particularly vital significance to us, we look upon as a heartening demonstration of the American tradition of fair play.

We have been invited by you to make clear our stand regarding the proposed evacuation of all Japanese from the West coast. When the President's recent Executive order was issued, we welcomed it as definitely centralizing and coordinating defense efforts relative to the evacuation problem. Later interpretations of the order, however, seem to indicate that it is aimed primarily at the Japanese, American citizens as well as alien nationals. As your committee continues its investigations in this and subsequent hearings, we hope and trust that you will recommend to the proper authorities that no undue discrimination be shown to American citizens of Japanese descent.

Our frank and reasoned opinion on the matter of evacuation revolves around certain considerations of which we feel both your committee and the general public should be apprised. With any policy of evacuation definitely arising from reasons of military necessity and national safety, we are in complete agreement. As American citizens, we cannot and should not take any other stand. But, also, as American citizens believing in the integrity of our citizenship, we feel that any evacuation enforced on grounds violating that integrity shold be opposed.

If, in the judgment of military and Federal authorities, evacuation of Japanese residents from the West coast is a primary step toward assuring the safety of this Nation, we will have no hesitation in complying with the necessities implicit in that judgment. But, if, on the other hand, such evacuation is primarily a measure whose surface urgency cloaks the desires of political or other pressure groups who want us to leave merely from motives of self-interest, we feel that we have every right to protest and to demand equitable judgment on our merits as American citizens.

In any case, we feel that the whole problem of evacuation, once its necessity is militarily established, should be met strictly according to that need. Only these areas, in which strategic and military considerations make the removal of Japanese residents necessary, should be evacuated. Regarding policy and procedure in such areas, we submit the following recommendations:

1. That the actual evacuation from designated areas be conducted by military authorities in a manner which is consistent with the requirements of national defense, human welfare, and constructive community relations in the future;
2. That, in view of the alarming developments in Tulare County and other communities against incoming Japanese evacuees all plans for voluntary evacuations be discouraged;

3. That transportation, food, and shelter be provided for all evacuees from prohibited areas, as provided in the Presidential order;

4. That thoroughly competent, responsible, and bonded property custodians be appointed and their services made available immediately to all Japanese whose business and property interests are affected by orders and regulations;

5. That all problems incidental to resettlement be administered by a special board created for this purpose under the direction of the Federal Security Agencies;

6. That the resettlement of evacuees from prohibited areas should be within the State in which they now reside;

7. That ample protection against mob violence be given to the evacuees both in transit and in the new communities to which they are assigned;

8. That effort be made to provide suitable and productive work for all evacuees;

9. That resettlement aims be directed toward the restoration, as far as possible, of normal community life in the future when we have won the war;

10. That competent tribunals be created to deal with the so-called hardship cases and that flexible policies be applicable to such cases.

Although these suggestions seem to include only the Japanese, may I urge that these same recommendations be adapted to the needs of other nationals and citizens who may be similarly affected.

I now make an earnest plea that you seriously consider and recognize our American citizenship status which we have been taught to cherish as our most priceless heritage.

At this hearing, we Americans of Japanese descent have been accused of being disloyal to these United States. As an American citizen, I resent these accusations and deny their validity.

We American-born Japanese are fighting militarist Japan today with our total energies. Four thousand of us are with the armed forces of the United States, the remainder on the home front in the battle of production. We ask a chance to prove to the rest of the American people what we ourselves already know: That we are loyal to the country of our birth and that we will fight to the death to defend it against any and all aggressors.

We think, feel, act like Americans. We, too, remember Pearl Harbor and know that our right to live as free men in a free Nation is in peril as long as the brutal forces of enslavement walk the earth. We know that the Axis aggressors must be crushed and we are anxious to participate fully in that struggle.

The history of our group speaks for itself. It stands favorable comparison with that of any other group of second generation Americans. There is reliable authority to show that the proportion of delinquency and crime within our ranks is negligible. Throughout the long years of the depression, we have been able to stay off the relief rolls better, by far, than any other group. These are but two of the many examples which might be cited as proof of our civic responsibility and pride.

In this emergency, as in the past, we are not asking for special privileges or concessions. We ask only for the opportunity and the right of sharing the common lot of all Americans, whether it be in peace or in war.

This is the American way for which our boys are fighting.

EXHIBIT A.—THE JAPANESE AMERICAN CREED

(Courtesy, Japanese American Citizens League)

I am proud that I am an American citizen of Japanese ancestry, for my very background makes me appreciate more fully the wonderful advantages of this Nation. I believe in her institutions, idelas, and traditions; I glory in her heritage; I boast of her history; I trust in her future. She has granted me liberties and opportunities such as no individual enjoys in this world today. She has given me an education befitting kings. She has entrusted me with the responsibilities of the franchise. She has permitted me to build a home, to earn a livelihood, to worship, think, speak, and act as I please—as a free man equal to every other man.

Although some individuals may discriminate against me, I shall never become bitter or lose faith, for I know that such presons are not representative of the majority of the American people. True, I shall do all in my power to discourage such practices, but I shall do it in the American way—above board, in the open, through courts of law, by education, by proving myself to be worthy of equal treatment and consideration. I am firm in my belief that American sportsmanship and attitude of fair play will judge citizenship and patriotism on the basis of action and achievement, and not on the basis of physical characteristics.

Because I believe in America, and I trust she believes in me, and because I have received innumerable benefits from her, I pledge myself to do honor to her at all times and in all places; to support her constitution; to obey her laws; to respect her flag; to defend her against all enemies, froeign or domestic; to actively assume my duties and obligations as a citizen, cheerfully and without any reservations whatsoever, in the hope that I may become a better American in a greater America. —*Mike Masaoka.* (as read before the United States Senate and printed in the Congressional Record, May 9, 1941).

EXHIBIT B.—A DECLARATION OF POLICY BY THE JAPANESE AMERICAN CITIZENS LEAGUE

In these critical days when the policies of many organizations representing various nationality groups may be viewed with suspicion and even alarm by certain individuals who are not intimately acquainted with the aims, ideals, and leadership of such associations, it becomes necessary and proper, in the public interest, that such fraternal and educational orders as the Japanese American Citizens League to unequivocally and sincerely announce their policies and objectives:

Now, therefore, in order to clear up any misconceptions, misunderstandings and misapprehensions concerning the functions and activities of this body, the National Board of the Japanese American Citizens League issues the following statement and declaration of policy:

We, the members of the National Board of the Japanese American Citizens League of the United States of America, believe that the policies which govern this organization and our activities as their official representatives are fourfold in nature and are best illustrated by an explanation of the alphabetical sequence of the letters J-A-C-L.

"J" stands for justice. We believe that all peoples, regardless of race, color, or creed, are entitled to enjoy those principles of "life, liberty, and the pursuit of happiness" which are presumed to be the birthright of every individual; to the fair and equal treatment of all, socially, legislatively, judicially, and economically to the rights, privileges, and obligations of citizenship. To this end, this organization is dedicated.

"A" stands for Americanism. We believe that in order to prove ourselves worthy of the justice which we seek, we must prove ourselves to be, first of all, good Americans—in thought, in words, in deeds. We believe that we must personify the Japanese American creed; that we must acquaint ourselves with those traditions, ideals, and institutions which made and kept this Nation the foremost in the world. We believe that we must live for America—and, if need be, to die for America. To this end, this organization is consecrated.

"C" stands for citizenship. We believe that we must be exemplary citizens in addition to being good Americans, for, as in the case of our parents, one may be a good American and yet be denied the privilege of citizenship. We believe that we must accept and even seek out opportunities in which to serve our country and to assume the obligations and duties as well as the rights and privileges of citizenship. To this end, this organization is committed.

"L" stands for leadership. We believe that the Japanese American Citizens League, as the only national organization established to serve the American citizens of Japanese ancestry, is in a position to actively lead the Japanese people residing in the United States. We believe that we have the inspired leadership and membership necessary to carry into living effect the principles of justice, Americanism, and citizenship for which our league was founded. We offer cooperation and support to all groups and individuals sincerely and legitimately interested in these same aims, but we propose to retain our independent and separate status as the Japanese American Citizens League. To this end, this organization is pledged.

Summed up briefly, the Japanese American Citizens League is devoted to those tasks which are calculated to win for ourselves and our posterity the status outlined by our two national slogans: "For better Americans in a greater America" and "Security through unity."

TESTIMONY OF MIKE M. MASAOKA—Resumed

Mr. MASAOKA. I would like to say, very frankly, that my colleagues and I represent pretty much the sort of dilemma that we are in. We are a rather young group, being one of the latest of all the immigrant groups here. Our parents are old, and because of the laws of the United States they cannot become citizens and we, their children, are citizens. We have that difficult problem.

Moreover, we have the difficult problem of having physical characteristics which cause us to be easily singled out for whatever course certain parties may deem necessary. Frankly, I would like to say that the loyalty of our group has been questioned. Perhaps my own loyalty would be questioned. In that respect I would like to offer in corroboration the fact that the Honorable Senator Elbert D. Thomas of Utah in the Congressional Record for Thursday, May 8, 1941, explained something of my background and had printed in the Congressional Record the Japanese-American Creed, which was long before the war, and still, I hope, exemplifies the spirit which we have toward America. I have letters from the United States Senator, Abe Murdock; another again from Senator Thomas. I have a letter from the Governor of the State of Utah, Herbert B. Maw. I have another letter from the mayor of Salt Lake City, Ab Jenkins. I have a letter from the United States District Attorney of Utah, Mr. John Borden. I have a letter from the Secretary of State of Utah, E. E. Monson, who was president of the American Secretaries of States Association. I have a letter from Mr. Douglas O. Woodruff, who was executive secretary of the University of Utah Alumni Association. I have a letter from the postmaster, I. A. Smoot, who was the president of the National Association of Postmasters of the United States. I have a letter from the president of the chamber of commerce of Salt Lake City, Earl J. Glade. I have another letter from our dean of school of social workers and professor of sociology at the University of Utah, Arthur L. Beeley, and I have a letter also from the State superintendent of education, Charles A. Skidmore, and letters from other people.

These are merely to substantiate the fact that I believe I am a loyal American. And when anyone doubts that loyalty, I feel that, as an American citizen, I am entitled to say what I believe about that.

LOYALTY OF ONE JAPANESE FAMILY

My mother was born in Japan, so was my father. My father was killed when I was 9. There were eight children in the family. We struggled through that, and today, out of that family of eight, one is a volunteer in the armed forces of the United States, serving I know not where; two more of us are 1–A; I myself am ready to go. I have been classified as 1–A and this may be my last appeal on behalf of the Japanese Americans, whom I believe are grossly misunderstood.

Frankly, gentlemen, when this committee first came here and when we heard the testimony Saturday afternoon people said "Don't show up, Mike. It is just a witch hunt." But after hearing what has gone on, after talking to your staff I know that you gentlemen are typical of the fair play which represents the American system. And so I want to say in all fairness that we present to you the facts which we feel are true in this case, realizing always, just as any other American citizen, that the defense of our country is paramount. But I would like to offer some refutation to the various arguments offered, because I feel that you gentlemen want to know both sides of the question. My colleagues will substantiate the claims insofar as they regard San Francisco. With your permission, gentlemen, I would like to briefly go through a number of statements which were made.

I believe that you would be interested to note the great discrepancy which occurs in statistics, and so on, which all goes to prove that—well, I used to teach debate, for example, in high school. When we wanted to present one side we went and looked at isolated cases and just presented those to build a good case. On the other side we would do the same thing.

Now, gentlemen, very frankly I am prejudiced. I am prejudiced for the Japanese-Americans, because I think they are loyal. I know that I am. I know that the great majority of us are. I think that some of the other gentlemen are prejudiced for the other side. I think somewhere between the two lies the truth, and I hope and trust that you gentlemen will be able to find that truth.

The CHAIRMAN. What are you going to say about your people at Pearl Harbor?

Mr. MASAOKA. Very frankly, I think that is a little different situation.

The CHAIRMAN. I am asking that not in criticism but just to ask you about it.

Mr. MASAOKA. What was the question again?

The CHAIRMAN. What about your people at Pearl Harbor? Did they remain loyal Americans?

JAPANESE AT PEARL HARBOR

Mr. MASAOKA. Well, there seem to be some conflicting reports as to that. In other words, frankly, Secretary of the Navy Knox himself admits that there were some Japanese who turned guns on the invaders. Then, on the other hand, the reports would seem to indicate another thing—sabotage. But I would like to make this a point, which I think ought to be considered. Here in the United States of America we are distinctly the minority group. We can be singled out because of our characteristics. In the Hawaiian Islands or Philippine Islands the Japanese are either in the majority or look like the majority, and, therefore, I think they could hide more easily in the general identity of the mass than we could here.

Furthermore, I think we are further removed from the domination of the Imperial Japanese Government and I think that most of us are cognizant of the things which America has to offer.

The CHAIRMAN. There are authentic pictures during the attack showing hundreds of Japanese old automobiles cluttered on the one street of Honolulu so the Army could not get to the ships. Are you conversant with those things?

Mr. MASAOKA. Only insofar as the general public is also informed, I believe.

The CHAIRMAN. I am just thinking out loud with you now, don't you see.

Mr. Masaoka. Yes. I understand, very frankly, the situation in which you gentlemen are. I understand the terrific spot that we are in, and I think that, as announced in this prepared statement, when the military decides for military necessity or otherwise we should go; we, as any other American citizens would be glad to cooperate and go. But I do believe that certain facts should be brought out relative to the California situation.

The Chairman. All right. You may proceed.

Mr. Arnold. Before you start, could I ask you if your league operated in Hawaii?

MEMBERSHIP IN LEAGUE

Mr. Masaoka. No. Our association is incorporated under the laws of the State of California June 21, 1937. We have absolutely no members in Hawaii. We have approximately 20,000 members and have chapters in 300 communities in the United States.

Mr. Sparkman. Is your league a political organization?

Mr. Masaoka. No. It is nonpolitical, nonsectarian.

Mr. Sparkman. Nonpolitical?

Mr. Masaoka. I believe "nonpartisan" is better than "nonpolitical," because we do encourage our members to vote, to urge the franchise and do anything else which any good American could do.

Mr. Sparkman. I was just interested in reading a little while ago a letter that was addressed to this committee and written apparently by a Japanese student. I noticed this paragraph in it [reading]:

> I do not know what weight is given to testimony presented by representatives of the Japanese American Citizens League.

That is your league, is it not?

Mr. Masaoka. Yes.

Mr. Sparkman (reading):

> However, I think that I can safely state that many thinking people have condemned that organization as a spokesman for the Japanese population. Its officials are notoriously fearful of answering questions directly or formulating upon policy which will reflect the desires and opinions as well as actions of the group which they are purported to represent. Moreover, it is a political organization and, hence, cannot be representative of those who prefer to hold their own political views.

I may say this: that the writer of this letter made a statement very much akin to the one that you just made, that if, while all rights were pleaded for, yet in the decision of those having the responsibility it was decided that it was necessary to evacuate a certain area, that, of course, loyal Japanese who were loyal Americans could be expected to comply with those orders without complaint and simply count it as part of their sacrifice in the interest of national security.

SIZE OF GROUP

Mr. Masaoka. I think that letter is indicative of one fact and an interesting fact: that even the Japanese people themselves here in this country are not directed from above and entirely unified to do one great thing. In other words, we have the democratic process there, we have diversity, we have contentions within our own group. And

I personally say this: we are the largest group of American citizens of Japanese ancestry.

Mr. SPARKMAN. What is the size of your group?

Mr. MASAOKA. Approximately 20,000 members.

Mr. SPARKMAN. In California?

Mr. MASAOKA. No; throughout the United States. We have them, of course, largely concentrated in the Western States, but we have some farther east, not as chapters, but as members who moved from San Francisco or coastal areas to eastern points.

Mr. SPARKMAN. How old is the organization?

Mr. MASAOKA. It officially was incorporated in 1937, as I said before. The beginnings of the organization were about 1921 in Seattle. Officially the first convention was held in 1930. It is a comparatively young organization.

Mr. SPARKMAN. Is it made up only of citizens of the United States?

Mr. MASAOKA. Yes. Every person is required to furnish proof of citizenship before being permitted to become a member.

Mr. SPARKMAN. And limited, of course, to Japanese-American citizens?

Mr. MASAOKA. Yes.

Mr. SPARKMAN. And you have no organization outside of the continental United States?

Mr. MASAOKA. That is correct.

Mr. SPARKMAN. Do you have any connection whatsoever with the Japanese Government?

Mr. MASAOKA. No.

Mr. SPARKMAN. Or with any agency functioning within Japan?

Mr. MASAOKA. No.

Mr. SPARKMAN. Do you maintain contacts with any such organization?

Mr. MASAOKA. No. We have been repudiated many times and denounced in the past by many pro-German people for the fact that we have refused to cooperate with the Japanese Government on seemingly educational projects.

Mr. SPARKMAN. You were born, of course, in the United States?

Mr. MASAOKA. Yes.

Mr. SPARKMAN. Educated here?

Mr. MASAOKA. College degree.

Mr. SPARKMAN. Where were you educated?

Mr. MASAOKA. University of Utah.

Mr. SPARKMAN. Let us go back of that. Where did you do your grammar-school work?

Mr. MASAOKA. All my work was done in Salt Lake City. I was born in Fresno, Calif., but my folks moved to Nevada, then Idaho, and then Utah. I am a graduate of the Westside High School at Salt Lake City and also the University of Utah of Salt Lake City, and I have spent all my educational career there.

Mr. SPARKMAN. Have you ever been back to Japan?

Mr. MASAOKA. No. I was offered a trip as a contest winner, and the people thought maybe I would enjoy the trip.

Mr. SPARKMAN. Now, wait. Who offered you the trip as a contest winner?

Mr. MASAOKA. The whole thing is that every year they select what they call the outstanding Japanese of the year; Japanese-American.

Mr. SPARKMAN. Who does?

Mr. MASAOKA. The Young People's Chicago group that Senator Thomas is cognizant of, as well as Mrs. Roosevelt. Then they, in connection with this trophy that they offer to the outstanding Japanese-American born citizen contemplate a trip to Japan.

Mr. SPARKMAN. Did you ever attend Japanese schools in this country?

Mr. MASAOKA. Personally I did not, but frankly——

Mr. SPARKMAN (interposing). A great many of your people do?

Mr. MASAOKA. Oh, yes. But I did not.

RELIGION

Mr. SPARKMAN. What is your religion?

Mr. MASAOKA. To show you how American I am, Latter Day Saints, Mormon.

Mr. SPARKMAN. Have you ever served as a missionary?

Mr. MASAOKA. For the Mormon Church?

Mr. SPARKMAN. Yes.

Mr. MASAOKA. Only as a block missionary within Salt Lake City.

Mr. SPARKMAN. Within Salt Lake City?

Mr. MASAOKA. Yes.

Mr. SPARKMAN. Do you have any adherence whatsoever to the national religion of the Japanese people?

Mr. MASAOKA. Do you mean I, personally?

Mr. SPARKMAN. You or other members of your family.

Mr. MASAOKA. None in our family; no.

Mr. SPARKMAN. Are all of your family members of the Latter Day Saints?

Mr. MASAOKA. No. Three of them are. Others are members of the Presbyterian Church.

Mr. SPARKMAN. Three of them are members of the Presbyterian Church?

Mr. MASAOKA. No. Three are members of the so-called Mormon Church and the other six are members of the Presbyterian faith.

Mr. SPARKMAN. What about the membership of your organization? Could you say what percentage of them have received at least a part of their education in Japan?

Mr. MASAOKA. Those figures are rather hard to get. We estimate approximately 20 to 30 percent, which I think is a rather generous estimate.

Mr. SPARKMAN. I wonder if you could give us some estimate as to a portion of your membership who have received a part of their education in Japanese schools in this country.

Mr. MASAOKA. That would be large; say 85 percent.

Mr. SPARKMAN. That is more or less characteristic, is it not, of the Japanese to have these Japanese schools?

JAPANESE SCHOOLS

Mr. MASAOKA. Yes. It is characteristic, but at the same time I think it is the same as any other immigrant group. I have correspondence here which we will file to show that we have attempted from time to time to get the State of California to include it in their public-school curricula and other evidence of the sort.

Mr. SPARKMAN. Let me ask you this: You talk about including it in the curricula of the public-school system. What is your understanding as to what is taught to the Japanese in these schools?

Mr. MASAOKA. I have not too intimate a knowledge because I never did attend.

Mr. SPARKMAN. I understand that.

Mr. MASAOKA. But from speaking to many of the people, they generally attend after school, and they attend from about 4 to 6 three times a week or something of the sort. Now, they are rather tired after that. Practically none of them go to Japanese language schools after they reach the junior high or high school age. They generally go in order to converse with their parents or because they can find no employment among other groups except generally the Japanese or the civil service.

Mr. SPARKMAN. Do you understand the school systems to be for the purpose of teaching the language?

Mr. MASAOKA. Some schools; yes. Others are doubtful. I think that the proper Federal authorities have investigated them, and I am not a professional man in that respect and I want to speak frankly. I don't know.

Mr. SPARKMAN. Well, isn't it your understanding, though, that a great deal of Japanese nationalism is sought to be instilled into the young Japanese of these schools?

SCHOOLS WERE CLOSED VOLUNTARILY

Mr. MASAOKA. That may be true. You understand, of course, that they are all closed now, not by mandate of the Government, but by voluntary action.

Mr. SPARKMAN. You appreciate the fact, I believe, that there is a great difference in the religion and nationalism and the close connection between religion and government as between the Japanese Government and the United States Government, do you not?

Mr. MASAOKA. By that do you mean you are concerned with the Buddhist Church?

Mr. SPARKMAN. Of course, in this country we have long advocated separation of state and church.

Mr. MASAOKA. That is correct.

Mr. SPARKMAN. As a matter of fact, just the opposite is true in Japan, is it not?

Mr. MASAOKA. I am not cognizant of that fact. In other words, don't know too much about Japan. And that is an honest statement.

Mr. SPARKMAN. Well, is it not true that among the Japanese there is an intense nationalistic feeling generally?

Mr. MASAOKA. No; I don't think so. But, first of all, let us define "nationalism." What do you think is "nationalism"? That might help.

Mr. SPARKMAN. When I speak of it in this connection I think of it as verging very closely upon and, in fact, almost merging with religion.

RELIGION OF JAPANESE-AMERICANS

Mr. MASAOKA. Figures might be helpful there. About 50 percent or a little less would be Buddhist. I think a little more in America are Christian than Buddhist. It is noticeable, too, that the older the children become they tend to congregate toward the Christian churches. Furthermore, the Buddhist churches as such seem to be declining in popularity, if that is an indication.

I feel that I should make this statement at this time: That before Pearl Harbor many of us had been teaching, or at least attempts had been made to teach, concerning the honor of Japan as a nation. But I think the attack at Pearl Harbor demonstrated to those who were on the fence that there wasn't anything honorable in that, and I think most of us condemned more than Americans condemned the dastardly thing that was done there, and I think the first generation feel that.

Mr. SPARKMAN. Do you think you could say with reference to the membership of your organization that there is not a feeling of a definite connection and loyalty to the Emperor of Japan?

Mr. MASAOKA. No. I don't think our league subscribes to that. I don't think the great membership of our league subscribe to that. In fact, I am quite sure.

Mr. SPARKMAN. Do you think you could truthfully and sincerely say that there is not in your membership a feeling of pride on the accomplishments of the Japanese Empire?

Mr. MASAOKA. Well now, there are a lot of things that I think we ought to recognize that are fine about Japan, possibly courtesy, and so on. But I think that the Japan of our parents is certainly not the Japan of today, and I think there that we may have been misguided as to many things there, too.

The CHAIRMAN. I would like to ask you a question. Are you a full-time secretary for the Japanese American Citizens League?

Mr. MASAOKA. Yes. I was the first paid official they ever had.

The CHAIRMAN. How much money do you receive?

Mr. MASAOKA. $150 a month.

The CHAIRMAN. When did you become a full-time secretary?

Mr. MASAOKA. The 1st of September of last year.

The CHAIRMAN. 1941?

Mr. MASAOKA. That is correct.

LEAGUE CHANGED ITS OBJECTIVES

The CHAIRMAN. And prior to that time your league was concerned more or less with social events. Isn't that true?

Mr. MASAOKA. Well, to be honest with you there is a matter of opinion there. The officers frankly felt that we were doing very constructive work.

The CHAIRMAN. Why in September 1941 were you put in as full-time secretary, and why did you start increasing the enrollment of members?

Mr. MASAOKA. Well, it was felt by the national board, which is the board of the highest officers, who represent the different districts, that an emergency was at hand and that in order to do our best as

Americans we needed an integration and coordination. Up to that point, you see, we had very little coordination, very little concerted action along a definite policy, Americanism policies, if you please, and they felt that they should bring me in.

The CHAIRMAN. Have you ever received any literature or instructions from any officials or people in Japan?

Mr. MASAOKA. No.

The CHAIRMAN. Never? At no time?

Mr. MASAOKA. I personally have never received such a thing.

The CHAIRMAN. Well, do you know of anyone who has?

Mr. MASAOKA. Oh, yes; people have received letters and books. As to other information I wouldn't be cognizant of that. Naturally they would try to hide such information from me.

The CHAIRMAN. And did any of those books or literature give you or any of your members instructions what to do?

Mr. MASAOKA. Not that I know of. In other words, very recently some books did come to our attention which I turned over to the Naval Intelligence without even looking at them because, frankly, I can't read Japanese. It is a rather difficult language, and I have concentrated more or less on English.

The CHAIRMAN. But you could get somebody to read it for you, couldn't you?

Mr. MASAOKA. Oh, yes. But I did not.

The CHAIRMAN. You don't read Japanese at all?

Mr. MASAOKA. Well, very frankly, I oftentimes don't even recognize my name in Japanese print.

The CHAIRMAN. You can certainly speak English all right.

Mr. MASAOKA. Well, I was brought up in a purely American community, more or less—Salt Lake City—where there are relatively few Japanese. And my professors, well, Senator Thomas was one of my professors; Governor Maw was another of my professors. They more or less looked upon me as a prodigy, and I have often visited with them. I have discussed theories of government with them, and so on.

The CHAIRMAN. But you tell this committee that you personally have never received any literature or books or anything of that character from Japan?

Mr. MASAOKA. That's right.

The CHAIRMAN. But you know of others who have received them?

Mr. MASAOKA. Well, I should assume there are others who have received them.

The CHAIRMAN. Let us forget about the assumption. Do you know of anybody else receiving anything?

Mr. MASAOKA. Who have received letters from friends, and so on?

The CHAIRMAN. You said a minute ago something about books that you turned over to the Naval Intelligence.

Mr. MASAOKA. Yes. I turned them over to the Naval Intelligence.

Mr. SPARKMAN. What comment do you have to make on the statement that has been made several times to the effect that no Japanese-American citizen has given information to any of these American agencies seeking to get information bearing upon national defense and antisabotage?

Mr. MASAOKA. I believe that that is not true. In fact, I know that information has been given, but I believe it has largely been given to the Federal agencies, notably the F. B. I.

Mr. Sparkman. Let me ask you this. Of course, you appreciate that the feeling which you have heard expressed here does exist?

Mr. Masaoka. Yes, I do. I certainly do.

Mr. Sparkman. You acknowledge that fact. Do I understand that it is your attitude that the Japanese-American citizens do not protest necessarily against an evacuation? They simply want to lodge their claims to consideration?

Mr. Masaoka. Yes.

Mr. Sparkman. But in the event the evacuation is deemed necessary by those having charge of the defenses, as loyal Americans you are willing to prove your loyalty by cooperating?

Mr. Masaoka. Yes. I think it should be——

Mr. Sparkman (interposing). Even at a sacrifice?

Mr. Masaoka. Oh, yes; definitely. I think that all of us are called upon to make sacrifices. I think that we will be called upon to make greater sacrifices than any others. But I think sincerely, if the military say "Move out", we will be glad to move, because we recognize that even behind evacuation there is not just national security but also a thought as to our own welfare and security because we may be subject to mob violence and otherwise if we are permitted to remain.

Mr. Sparkman. And it affords you, as a matter of fact, perhaps the best test of your own loyalty?

Mr. Masaoka. Provided that the military or the people charged with the responsibility are cognizant of all the facts.

Mr. Sparkman. Certainly. That is assumed.

Mr. Masaoka. Yes.

Mr. Sparkman. You wanted to say something, Mr. Tani?

STATEMENT OF HENRY TANI, EXECUTIVE SECRETARY, JAPANESE-AMERICAN CITIZENS LEAGUE, SAN FRANCISCO, CALIF.

Mr. Tani. Yes, please. With reference to the line of questioning that you are asking Mr. Masaoka, about the influence of the Japanese culture in us. We don't walk around with our heads bowed because we are Japanese, but we can't help being Japanese in features. My mother left Japan over 30 years ago, and the Japan of which she speaks to us of 30 years ago is not the Japan of today. I feel it is different from that of my mother's day. And so in the culture that she instilled in us, and by "culture" I mean courtesy, loyalty to the State and country in which we are, obedience to parents, those are cultures of Japan with which most of us have been brought up. And I don't think those things are things of which we should be ashamed, those things which we should ignore.

As for influences upon us today I, as an individual, or as a leader of a group, have never been approached officially, unofficially, directly, or indirectly in any respect in all my years.

Mr. Sparkman. You were born in this country, of course?

Mr. Tani. Right here in this city.

Mr. Sparkman. And where did you receive your education?

Mr. Tani. High school, grammar school, right here in San Francisco. My college degree was at Stanford University.

Mr. Sparkman. Have you ever been to Japan?

Mr. TANI. Never.

Mr. SPARKMAN. Did you attend Japanese schools?

Mr. TANI. One year when I was 6 years old, when I lived in a so-called Japanese area, and then my father moved in the so-called Baker movement, which was supposed to be an Americanization program. We moved from out of the Japanese area where our closest Japanese neighbor was 3 or 4 miles away.

Mr. SPARKMAN. And with the exception of that 1 year you did not visit Japanese schools?

Mr. TANI. None other than what my mother taught me at home.

Mr. SPARKMAN. May I ask you what your religion is?

Mr. TANI. I am Protestant. My sect is Evangelical and Reformed.

Mr. SPARKMAN. Do you feel any allegiance whatsoever to the Emperor of Japan or the Japan Government?

Mr. TANI. None at all.

QUESTION OF DUAL CITIZENSHIP

Mr. SPARKMAN. Do you feel that he or his government has any claim upon your services under dual citizenship?

Mr. TANI. Personally I have no dual citizenship.

Mr. SPARKMAN. Is that acknowledged by the Japanese Government?

Mr. TANI. I don't know what they acknowledge.

Mr. SPARKMAN. Well, there was a law passed, I believe, or a regulation established by the Japanese Government that would allow you to deny or give up the Japanese citizenship.

Mr. TANI. Let us put it this way. My understanding of the procedure of obtaining dual citizenship is this: I was born here; I am an American citizen; my father had the privilege of recording me in Japan to the consulate there by having my name recorded in the Japanese census and thereby I would become a Japanese subject. But my father neglected to do that. Therefore, as far as the Japanese Government is concerned, I don't exist. That is my understanding. And I have been told very recently that the law in Japan says that if I was born prior to 1924—I may be mistaken in that—then the Japanese Government may have some claims against me. But if they have, they have never done anything about it.

Mr. SPARKMAN. Do you agree with Mr. Masaoka in this statement that he made, that if it is finally determined by those having the ultimate responsibility of defending this area, that even Japanese-American citizens should be evacuated, that it would be the duty of such Japanese-American citizens to comply with such orders without complaint?

Mr. TANI. Yes; I agree.

Mr. SPARKMAN. And cooperate wholeheartedly to that effect?

Mr. TANI. Yes; definitely.

(The following statement was submitted subsequent to the hearing:)

STATEMENT BY HENRY TANI, EXECUTIVE SECRETARY, SAN FRANCISCO CHAPTER, JAPANESE-AMERICAN CITIZENS LEAGUE, SAN FRANCISCO, CALIF.

The Japanese in San Francisco

THE PEOPLE

In any consideration of the Japanese people on the Pacific coast there is the necessity of understanding the various classifications into which these Japanese people fall.

THE ISSEI—FIRST GENERATION

There is, first, the real immigrant Japanese group which made its main appearance in the United States from 1890 to 1920. Immigration figures will reveal the extent of this movement more accurately. The important observation to be made at this time is the fact that with the Immigration Act of 1924 the flow of Japanese immigration was effectively blocked.

This will naturally show that every single alien Japanese (with the exception of a few merchants and ministers) in this country at this time have been resident of the United States for 18 years at the least. It also follows that of this group that is remaining in this country at this time practically all consider themselves permanent residents.

One speaks of this first group as the first-generation Japanese. The common term used to describe this group is the "Issei" (pronounced "iss-say," meaning "first generation"). Our laws deny naturalization rights to these aliens, who otherwise might have become good American citizens. Only in passing might it be mentioned that, by and large, the Issei have been law-abiding and respectful citizens, and that they had contributed largely to the economic wealth of their neighborhood.

THE NISEI—SECOND GENERATION

The offspring of the Issei is the Nisei, (pronounced "nee-say," meaning "second generation"), who are born, reared, and educated in the American culture and are inherently American in all manifest ways, except that there are occasional cultural inclinations showing their Japanese home influence.

It is no exaggeration that by their own admission the Nisei consider themselves far more American than Japanese. Testimonies to the contrary notwithstanding, school teachers, business associates, religious leaders, and those who have come to learn the Nisei in their normal ways of life will add their evidence to this fact. The Nisei is a citizen. He takes his citizenship seriously. He meets his obligation to society by cooperating with the civic authorities. Physically the Nisei conform more to the American standards than do their parents—the result of the vigorous athletic program, the diet, and the relative free expression usual to American growth.

THE KIBEI—THOSE WHO RETURNED

Of the Nisei group, there is within them but yet apart from them another group which is usually referred to as the "Kibei" (pronounced "ki-bay," meaning "those who came back"). Like the Nisei, the Kibei was born in the United States and thus is entitled to citizenship in the United States. Unlike the Nisei, the Kibei receives his education in Japan and is therefore more culturally Japanese.

Of course, the degree to which the Kibei is more Japanese than American depends largely on the number of years and the age during which he was in Japan. Many of them returned to Japan with their family at a young age and returned to America in their late teens. It is unfair to classify the Kibei in one large group and generalize too freely with them since the variation is so largely dependent upon the many factors involved.

These things can be said of them, however: That their English is relatively poor, mainly because they missed the American schooling which their Nisei brothers and sisters got; their mastery of the Japanese language is definitely superior than what little Japanese the local Nisei got in the language schools here; their emotional life is definitely more unstable than for the Nisei, because the Kibei missed the family life which the Nisei had.

THE JAPAN-BORN NISEI

In all fairness to that very little minority within the Japanese community, one must mention the few individuals who were born in Japan and came to this country with their parents in their early childhood. Such individuals missed out in getting their United States citizenship by being born in Japan, but otherwise are Nisei in all other aspects. This group is culturally American, and, though technically they are Issei, they are so only because of their birth in Japan.

POPULATION BREAK-DOWN

According to the 1940 United States census, there were in California a total of 93,717 Japanese, of which 33,569 were aliens and 60,148 were citizens. This makes a ratio of 36 percent alien as opposed to 64 percent citizens. When cast upon the whole State population, which is 6,907,387, there are 135 Japanese for each 10,000 Californians.

For the city of San Francisco, the census figures show 2,276, or 43 percent, aliens as against 3,004, or 57 percent, citizens, making a total of 5,280 Japanese out of the city's population of 634,536. The ratio, therefore, in San Francisco of Japanese to the total population is 83 out of 10,000.

NISEI BREAK-DOWN

According to the Nisei survey conducted by the San Francisco Chapter of the Japanese American Citizens League in October 1940, a further break-down of the total Nisei group revealed that 73.5 percent were Nisei, 22.8 percent were Kibei, and 3.7 percent were Japan-born Nisei. This is true of San Francisco only since the metropolitan area reflects the greater Kibei element.

Of all the Nisei who are 18 years of age and over, the concentration by age showed that 61 percent of the total were between the ages of 19 to 25, inclusive, and that 46 percent were between the ages of 20 to 24, inclusive. This substantiates the fact that the average of the Nisei is 21 years old, further proved by the fact that the birth rate of Japanese in California hit its peak in the year 1921. This can also be verified by the high attendance of Nisei students in our universities at this time. For instance, there were 500 at the University of California last fall.

JAPANESE TOWN

That the Japanese people in San Francisco are concentrated in their own Japanese town is proven by the fact that in an area of 24 square blocks 73.3 percent of the total Nisei in San Francisco, according to the Nisei survey, are stated to be living within this area.

RELIGIOUS AFFILIATION

It is interesting to note that the Nisei survey showed the religious affiliations distributed as follows: 42 percent Protestant, 35 percent Buddhist, 7 percent Catholic, 3 percent others, and 13 percent none.

DUAL CITIZENSHIP

It is true that the Nisei themselves are very vague about their dual-citizenship status since they are not well acquainted with the many laws that affect their status. However, 32 percent seem to hold this dual-citizenship status to the best of their knowledge, according to the Nisei survey. This figure includes those who are not certain of their status, and therefore the percentage figure is increased thereby.

CRIME AND DELINQUENCY

It is safe to say that, according to the best reliable sources, there is practically no crime or delinquency record involving the Japanese in San Francisco. It is also safe to say that relief cases (pre-war) have been very scarce and practically unknown though there were a few isolated cases now and then.

SELECTIVE SERVICE

The number of selectees in the United States Army from San Francisco has been variously estimated as being between 175 to 200, of which about 20 percent are volunteers. Of the total Nisei population, it is further estimated that 3,000 are probably in the United States armed forces.

PUBLIC CHARITIES

The community chest in its history of fund-raising campaigns have always received 100-percent response from the Japanese group. The usual quota for the Japanese community has been between $3,500 to $4,000, which is almost a dollar a head. Even since the outbreak of war the Japanese contribution to the Red Cross fund exceeded the expectation of local Red Cross officials.

TESTIMONY OF MIKE M. MASAOKA—Resumed

The Chairman. How many Japanese have you in California?

Mr. Masaoka. I have exact figures on that. This is taken from the United States census figures for 1940. In continental United States in April 1940 there were 126,947 Japanese. Out of that group 47,305 are Japanese nationals and 79,642 are American citizens.

Broken down, 80 percent of all the Japanese in the United States reside on the Pacific coast. California alone has 93,713 Japanese, or 73.8 percent of the total.

The Chairman. Do you attach any significance to the fact that the Lockheed airplane factory at Los Angeles is surrounded by Japanese?

Mr. Masaoka. Well, I am not particularly familiar with that exact set-up, but I would like to state for the record that many of these places were purchased long before the airports were ever there; long before that.

The Chairman. You have approximately 93,000 Japanese in California?

Mr. Masaoka. Yes. Almost 94,000.

The Chairman. As the spokesman for the Japanese here today, would you say each and every one of that 93,000 is loyal to this country?

Mr. Masaoka. No, not each and every one. I think that would be impossible of any group. But I agree with the gentleman who preceded me. We are also interested in finding those people out, because if we don't find them out they are going to wreck our entire society. We American citizens, especially, are not so much concerned with ourselves as we are with our children. We would like to commend you officially, publicly, and in every way for your appreciation of the fact that after this is all over we must once again live together as neighbors and fellow Americans.

The Chairman. What do you think about the statement of Attorney General Warren here Saturday to the effect that in his reports from law-enforcement officers, and he contacted several hundred of them, that he knew of no instance where a Japanese gave any of these officers any information as to a disloyal Japanese?

Mr. Masaoka. I don't know exactly what to say about that. I wouldn't like to doubt his word, and yet I do know that personally a number of people that I know of have contributed information.

The Chairman. The reason I am asking that is simply this—to give you the benefit of a witness' right to tell you what has been said here in order to have your views about that.

Mr. Masaoka. Yes, I understand that.

TESTIMONY OF DAVE TATSUNO, PRESIDENT, SAN FRANCISCO CHAPTER, JAPANESE-AMERICAN CITIZENS LEAGUE, 2031 BUSH STREET, SAN FRANCISCO, CALIF.

Mr. TATSUNO. I am quite sure, many of the Japanese-American citizens do not know of any case that should be turned in to the authorities. Let us take my case, for example. I reside in the so-called heart of Japan Town here in San Francisco. We have a dry-goods store. It has been in existence since September 1902, and ever since I have graduated from college back in 1936 I have been working there.

Most of our trade is with the Japanese, both alien and citizens, and naturally I, of all persons, being in the heart of the Japanese community, have talked with them heart to heart. I am trusted. Yet the F. B. I. agents have approached me on a number of occasions and I have had to profess that I don't know a thing. If I did, I would be glad to say so. But what I don't know I can't say, because it would be of no use.

SABOTAGE IN HAWAII

The CHAIRMAN. Let me ask you this: The sabotage at the time of the attack of Pearl Harbor and the disloyalty of the Japanese there was so widespread that the details have never as yet been fully given to the public. Now, what I would like to get from you is this: Do you think the Japanese of Hawaii stand on a different basis than the Japanese in California?

Mr. TATSUNO. Yes; I would definitely like to say so. Let me give you an example. I have a dry-goods store. We carry oriental goods and we have imported some directly from Japan and we have bought many from the local importers here. Yet, naturally, the amount we sell of the native Japanese goods is very small, while in Hawaii you will find that their dealings in Japanese native goods are a number of times greater than those on the mainland here, which goes to show that in Hawaii there was much of the Japanese influence among the Japanese there. Also you must recognize the fact that one-third of the population of Hawaii is Japanese whereas over here we are a very small minority and we are not affected.

At the same time I would like to put into the record that I am quite sure that the attack and the treacherous attack, much of it was committed by agents of the Japanese Government who came in different disguise. I am quite sure of that.

The CHAIRMAN. Do you know of any of those agents here?

Mr. TATSUNO. Pardon?

WOULD REPORT SUBVERSIVE ACTIVITIES

The CHAIRMAN. Do you know of any of those agents in California?

Mr. TATSUNO. I do not know. If I did I would report them to the F. B. I. As I said, since I am in the heart of Japan Town, the Naval Intelligence, the Army Intelligence, and the F. B. I. make the rounds and any time they ask questions I am always glad to help them.

The CHAIRMAN. You sound to me to be a pretty fair witness, but you wouldn't go so far as to say that Japan hasn't these agents in California? You know they have; don't you?

Mr. TATSUNO. Well, I couldn't say because I don't know. As one American person put it, in total war that we have today there is a great possibility—in fact, any nation that hasn't got fifth-column activity to carry on a war—well, something is lacking.

The CHAIRMAN. I don't think Japan lacks it. You are not worried about Japan in that regard, are you?

Mr. TATSUNO. But as far as California is concerned, as I say—and I have been in close contact with the alien Japanese—since I have been in contact with the many travelers from Japan, and they come into our store regularly, many members of the different banks, the import and export houses here in San Francisco, treaty merchants sent from Japan. I may be pretty ignorant but I don't know. I haven't had any signs.

Mr. SPARKMAN. Was your education all in this country?

Mr. TATSUNO. No. I was in Japan away back in 1924 immediately after the earthquake for half a year. I attended fourth-grade grammar school in Japan when I was 10 years old.

Mr. SPARKMAN. Is that the extent of the time you spent there, just the 6 months?

Mr. TATSUNO. That is all.

Mr. SPARKMAN. May I ask your religion?

JAPANESE PRESBYTERIAN CHURCH

Mr. TATSUNO. I am an elder of the local Presbyterian Church. Before that I was a deacon. I am also a member of the local board of management of the Y. M. C. A., and also last night I spoke at the First Presbyterian Church at Van Ness and Sacramento. We had a joint meeting with the American young people.

Mr. ARNOLD. Do the Japanese have a Presbyterian Church of their own?

Mr. TATSUNO. We have a church of our own.

Mr. ARNOLD. You belong to the Japanese Presbyterian Church?

Mr. TATSUNO. Yes. It is controlled by the board directly, yes; the national board.

Mr. ARNOLD. Is it organized about the same as the American Presbyterian Church?

Mr. TATSUNO. It is typical. The only thing is that the older people did not understand English well and they organized this church. In fact, in our church we had a very earnest man working for us, Dr. Sturge, who passed away in 1934. He spent 50 years among the Japanese here in the United States working for us, and we have such men with those ideals to look up to.

Mr. ARNOLD. He was an American?

Mr. TATSUNO. Yes.

Mr. ARNOLD. A white American?

Mr. TATSUNO. A white American.

Mr. ARNOLD. Does the Presbyterian Church belong to the same diocese or whatever you might call it?

Mr. TATSUNO. Yes. It is directly connected with the national Presbyterian board. Also we have among our group the Young People's Christian Conference groups. Henry was chairman of the northern California chapter of the Young People's Christian Conference in 1938 and I was chairman of it in 1937. Therefore, with such a background, we like to cooperate as much as possible.

Mr. ARNOLD. I was interested in your saying that even though you are a merchant and come in contact with many Japanese customers and others, that you never talked to each other about anything in connection with Japan or this Government.

Mr. TATSUNO. No; I didn't say that. I said that although we do have heart-to-heart talks I haven't found any inkling; any, shall I say, evidence of fifth-column activity or sabotage, you see.

Mr. ARNOLD. Do you think you would learn of it if it existed among those with whom you come in contact?

Mr. TATSUNO. If anybody, I should. If anybody, I am right in the heart there, and I am sure that most of them trust me. You see, Saturday, Attorney General Earl Warren said that because so far there hasn't been a single sign of fifth-column activity that is a sign that there is fifth-column activity. But I disagree with that. I don't think that is real logic.

PRAISES JAPANESE RECORD IN AMERICA

Mr. MASAOKA. For example, I would like to challenge the conclusion drawn by the gentleman from Tulare, because in the depression years very few Japanese, if any, went on the relief rolls that it was an indication that we were receiving financial assistance from others. I think that is an attitude of thrift and simple living which is characteristic of the American pioneers. I think that is an evidence of Americanism. We have a wonderful record of staying out of jail. The only time I was in jail was on the night of December 7 when I was in North Platte as a stranger there. They got me for vagrancy and it was cleared up immediately from Washington. That was the only time I was in jail. The Japanese have a fine record, I believe, of abiding by the law. We stay off the relief rolls. We have a wonderful record of contribution to the Community Chest, to the Red Cross, and other civic groups. I think that all of those are an indication of loyalty.

The CHAIRMAN. You have a wonderful record of keeping out of jail. Don't you think that is smart?

Mr. MASAOKA. Yes, I think it is smart for anyone. But I also think that it is a sign of good Americanism that you have been taught to do that.

Mr. ARNOLD. I have two questions and any one of you may answer. Do Japanese aliens or their children have any feeling of animosity toward the Government of the United States or the State of California because such aliens are deprived of the right to own property in this State?

Mr. MASAOKA. I think it is possible that some would have. I think it is only natural, to be honest, you understand?

Mr. ARNOLD. Some aliens and some of their children feel that?

Mr. Masaoka. Possibly. But the children may own land.

Mr. Tani. We are children. We can own land.

Mr. Arnold. But do you have any animosity because aliens can't?

Mr. Tani. It wouldn't exist now because most of us are of age and can handle our own business. So if there was animosity, it wouldn't exist now.

JAPANESE LAND PURCHASES

Mr. Arnold. Do you know of any instances where Japanese aliens have acquired property in this State in the name of their children in order to avoid the property laws?

Mr. Tani. Sure. My father bought a house in my name and my sister's name and he had a lawyer named as trustee. That was the usual procedure, but we lived in that house.

Mr. Masaoka. I would like to say that the California Supreme Court, I understand, in two cases—the *Fujita* and *Yano* cases—gave some countenance to a type of guardianship. I would also like to say that a number of people tried, in fact encouraged, the Japanese to use this type of subterfuge.

The Chairman. Mr. Kido is the president of your league?

Mr. Masaoka. He is an attorney and he is ill today. He has an impacted tooth.

The Chairman. Well, gentlemen, it is getting late. However, I would like to say this to you—that you are speaking now to part of the Congress of the United States.

Mr. Masaoka. We appreciate that.

The Chairman. I would like to ask you if you know of any place in Japan or the Philippines or Wake Island where any agency or part of the Japan Parliament is according to the American evacuees or interns a hearing such as this.

Mr. Masaoka. No. We appreciate that, very frankly. That is what makes us like Americans more.

The Chairman. So you think that we can go back to Washington now and rest absolutely and perfectly safe that there won't be any disloyalty from the Japanese on this coast?

Mr. Masaoka. I think the great majority won't.

The Chairman. But it doesn't take many.

Mr. Masaoka. Yes, I understand that. But I would like to make this request of you. Just as I pointed out, the tension is increasing all around and immediate action would be very helpful, I think, to all concerned to protect us from mob violence, to protect against sabotage, which may come. Now, I think a decision will permit us to inform our people as to proper procedure, to help them to get ready to leave, if necessary; to contact the proper Government agencies and otherwise. But I do not think it should be voluntary evacuation for the simple reason that I am afraid of what is happening in Tulare and other counties. If they just go voluntarily out without knowing where they go, they may not only inconvenience the communities to which they go, but they may disrupt those communities.

The Chairman. Thank you very much.

The committee will stand in recess until 2 o'clock.

(Whereupon, at 12:45 p. m. a recess was taken until 2 p. m.)

NATIONAL DEFENSE MIGRATION

MONDAY, FEBRUARY 23, 1942

AFTERNOON SESSION

House of Representatives,
Select Committee Investigating
National Defense Migration,
Washington, D. C.

The committee met at 2 p. m. in the post office building, San Francisco, Calif., Hon. John H. Tolan (chairman) presiding.

Present were: Representatives John H. Tolan (chairman), of California; Laurence F. Arnold, of Illinois; and John J. Sparkman, of Alabama.

Also present: Dr. Robert K. Lamb, staff director; John W. Abbott, chief field investigator; Leonard A. Thomas, counsel; and F. P. Weber, economist.

The Chairman. The committee will please come to order.

Mr. Clark, you will be the first witness.

TESTIMONY OF TOM C. CLARK, COORDINATOR OF THE ENEMY ALIEN CONTROL FOR THE WESTERN DEFENSE COMMAND, DEPARTMENT OF JUSTICE, FEDERAL BUILDING, LOS ANGELES, CALIF.

The Chairman. Mr. Clark, will you please give your full name to the reporter. This is for the purposes of the record.

Mr. Clark. Yes. My name is Tom Clark and I appear here as Coordinator of the Enemy Alien Control for the Western Defense Command.

The Chairman. That is the Justice Department?

Mr. Clark. Department of Justice; yes, sir.

The Chairman. Congressman Arnold will interrogate you.

Mr. Arnold. Mr. Clark, we are going to divide our questions to you into two groups, the first dealing with the evacuation tomorrow and the previous work of your office in connection with this problem, and the second dealing with the President's Executive order of last Friday.

We would like you to hold yourself in readiness to appear again in about 10 days in Los Angeles to testify on later developments arising from this Executive order.

Would you briefly outline for us the functions of your office and what your office has done on the alien problem on the west coast to date.

Mr. CLARK. Well, that is a pretty big job. I will do the best I can, sir.

Mr. ARNOLD. All right.

Mr. CLARK. I came into this 4 weeks ago this coming Thursday. At that time there were so many agencies that were engaged in the work of trying to solve the problem that there was no coordination between them. Since the President, in his Executive order of January 6 and 7, I believe it is, appointed the Attorney General to designate certain areas as recommended by the War Department from which alien enemies might be evacuated, and since the duty was upon the Attorney General—he had written several of the other civil agencies requesting their cooperation in affecting an orderly evacuation—it was thought that someone might be necessary to coordinate the various activities of the various civil authorities that might come into the picture. I have been out here for a couple of years with the Department of Justice and have three offices out here in the vital areas. So, they thought that possibly I might be the fellow to do that work and that was the reason I was selected and that, I think, outlines in a general way the functions I have to perform and the duties that I have attempted to perform so far.

Mr. ARNOLD. Have you just been engaged in this work about 4 or 5 weeks?

Mr. CLARK. As I stated, 4 weeks next Thursday.

Mr. ARNOLD. In your opinion, should there be a wholesale evacuation from the military areas of all citizens and aliens whose origins are in enemy countries?

Mr. CLARK. I think it depends——

The CHAIRMAN (interposing). May I interrupt, Mr. Clark and Congressman Arnold? We want you to feel absolutely free, Mr. Clark, not to disclose anything to this committee that gives comfort to the enemy but also feel free to go as far as you can.

Mr. CLARK. I appreciate that. If any question like that comes up you can depend on me to be the first to say "I am sorry; I can't answer." I will be glad to talk to the committee about other matters that I find it not possible to discuss here if there are some of those matters.

As far as the question you just asked I would say this: If the military authorities, in whom I have the utmost confidence tell me it is necessary to remove from any area the citizens as well as the aliens of a certain nationality or of all nationalities I would say the best thing to do would be to follow the advice of the doctor. Whenever you go to a doctor if he tells you take aspirin you take aspirin. If he tells you to cut off your leg so you can save your body you cut off your leg. So I think it is is up to the military authorities to decide that question.

The CHAIRMAN. Well, it is not only up to them but we all have to obey them.

Mr. CLARK. Yes, sir. That is right.

The CHAIRMAN. We have no discretion about it.

Mr. CLARK. That is right.

The CHAIRMAN. But we thought we could give them some facts that might help them. That is the reason for these hearings.

Mr. CLARK. Yes, sir.

RESETTLEMENT OF ALIENS IN CALIFORNIA

Mr. ARNOLD. Now, in your opinion, is it necessary to remove these evacuees from the State of California and, in fact, from the entire west coast? If so, what areas do you think they should be placed in?

Mr. CLARK. Well, from my study up to date I would say that California can take care of the problem, providing the military authorities decide what the strategic military areas are, and if we know those, then, we can move these people, such persons as we think should be evacuated from certain areas. We could establish some place where they might be able to go. I think that California could solve the problem without much interference with other States.

Mr. ARNOLD. You think there is enough area in California away from the coast to take care of the situation?

Mr. CLARK. Well, Congressman, I would say this: That largely depended upon the military areas that might be created. General DeWitt asked me this morning if I might release to the committee and to the press some of his ideas about the matter. He said, "You know, Tom, we have the deadline on the orders of the Attorney General." And the General stressed the fact that these orders were still in effect and that the alien enemies that were in the areas, or the prohibited areas which became effective tomorrow night at midnight would have to evacuate. If they don't, why, we intend for the Federal Bureau of Investigation to see that they are evacuated. In the meanwhile, the General is working on such military areas as he and his staff deem necessary.

The CHAIRMAN. Mr. Clark, if I may interrupt there. The Attorney General of the State of California, Mr. Warren, testified here Saturday that while they give information to your department they have no return information as to who are enemy aliens.

Would you care to comment on that? This committee thinks that is very, very important.

PREPARING LIST OF ENEMY ALIENS

Mr. CLARK. Well, the only comment I would make on that, Congressman, would be that the list of enemy aliens, of course, has not been prepared as yet. For example, we only had the list, had the cards, the Form 22, as they call them, on the night of February 9.

The CHAIRMAN. Y s.

Mr. CLARK. There was a considerable number of those Form 22's. In fact, in these eight States there are, I would say, at least four or five hundred thousand, so you can see what a job it is when you say "get up a list." I am satisfied of this: That the Federal Bureau of Investigation will cooperate with any enforcement agency, local or otherwise, in order to solve the problem.

The CHAIRMAN. Yes.

Mr. SPARKMAN. You made reference to the effective date of this order, tomorrow night at midnight. Isn't that tonight at midnight?

Mr. CLARK. No, sir. We construed the last order, the 15th, having come on Sunday, as being effective Monday morning, so we are construing this one as being effective at midnight, the 24th, the date that is stated in the order itself, so tomorrow is the last day.

PREFERS VOLUNTARY EVACUATION

The General further asked me to state that he was hopeful that the enemy aliens in these areas would move out voluntarily. He thought that they would. And while he was studying the problem of additional military areas that he would create under the Presidential order, or the Executive order, he hoped that the alien enemies would be preparing themselves to evacuate voluntarily.

The CHAIRMAN. I don't think all of the American people recognize the importance of the time element in this matter. Everything has come on us in a rush. On Saturday we were with General DeWitt for an hour and a half, and he told us to tell the public: "There will be no mass evacuation. Hardship cases will be taken care of."

The Executive order of last Friday changed everything. So the point is that as far as your Justice Department is concerned, you are going to cooperate with the civil and local enforcement agencies of this State, aren't you?

Mr. CLARK. We are going to do everything that General DeWitt requests us to do. In our conference this morning, he asked me to see about coordinating matters much in the same way that we had done in the past. Of course, the primary party responsible to carry out the Executive order of last Friday is the Army. Personally, I think, like I am sure you do, sir, and like the other congressmen of California, evidenced in their statements in the public press, that the Army is the proper party to carry this out because they are the only department of government that have the facilities and the personnel with which to do it in an effective way.

The CHAIRMAN. Yes; but the reason that we are here, Mr. Clark, is that the high officials at Washington thought we should come out here and get the opinion of the coast people who are directly involved, don't you see? They might have some ideas too.

Mr. CLARK. Yes, sir.

The CHAIRMAN. In other words, we are not telling you what to do but we can give you some facts in these open hearings?

Mr. CLARK. Yes.

The CHAIRMAN. Now, as far as the Army is concerned, General DeWitt told us Saturday afternoon that he has never been so pleased in his entire army life as he is with the work that your department is doing.

Mr. CLARK. Well, that pleases me very much.

The CHAIRMAN. But still you are human and therefore not a hundred percent perfect as far as this is concerned?

Mr. CLARK. That is right, sir.

The CHAIRMAN. We have to live in this country after this war is over and we have nationalities no other country has. We are a melting pot of the world. Maybe, we will get some ideas here. But, at least, the people of the Pacific coast are going to be helped anyway. We are not telling you what to do but we might give you some ideas.

HELP NEEDED TO SOLVE PROBLEM

Mr. CLARK. Well, I might say on that we certainly do need some ideas. We need your help. I know personally I would welcome it and I feel certain, although I haven't talked to the General, that he would be happy to have them. We all have to work out this problem together. I told that to the State defense councils I had the pleasure of meeting with over the State during the past couple of weeks. To solve this problem we will all have to put our shoulders to the wheel.

I am happy to see your committee here, sir. I am sorry I couldn't be here Saturday, but I only left Washington Saturday afternoon about 2 o'clock, and we were grounded yesterday morning in Denver and only arrived here last night. We have these three offices, one in Los Angeles, one here, one in Seattle. They are staffed by experienced lawyers, the staff we have gotten in the past 2 years. They are at your disposal, sir.

Mr. ARNOLD. Now, Mr. Clark, do you know in a general way where the people moving on the 15th of February have gone?

Mr. CLARK. There were less than 400 that were required to move from those specific areas on that day. I am sure that several groups moved out of other areas. Mr. Neustadt could give you that information better than I. I understand that he is preparing a list which will be available, possibly, in a couple of days and he will be happy to furnish that for you.

The CHAIRMAN. He is here now.

Mr. CLARK. Yes, sir. My ideas would be just a guess and if you don't mind I would rather not guess on a matter like that.

COMMUNITIES RESISTING RESETTLEMENT OF EVACUEES

Mr. ARNOLD. All right. Have any protests been received by your office from communities which do not wish to receive evacuees?

Mr. CLARK. Yes, sir.

Mr. ARNOLD. We had testimony here on Saturday to the effect that the citizens of Tulare County were resisting the entrance of Japanese enemy aliens into that county. If this be true what action is your office prepared to take with respect to this situation?

Mr. CLARK. The Tulare citizens have wired several of us about the problem there. They say that it would be better for the community if there were no further migration of Japanese into that area. Frankly, we don't have any idea of evacuating any Japanese into Tulare. But if any of them happen to come in there, why, I hope the patriotism of the resident will be longer than their noses and that they will at least receive them until we can find a little better place in which to place these unfortunate folks.

Mr. ARNOLD. Do you not think this arises from the emphasis placed to date on the machinery for evacuation rather than for locating these people?

8,067 ALIEN ENEMIES IN AREAS

Mr. CLARK. The best statistics that we had on the areas that the Army requested the Attorney General to designate showed that there were 8,067 enemy aliens within all of the areas. Of that number there were only about 2,800 of Japanese lineage. Two thousand of those live around the municipal airport in Los Angeles. So after consulting with Mr. Neustadt, who has done, by the way, a splendid job on this whole proposition——

The Chairman (interposing). He is blushing now on account of that compliment.

Mr. Clark. Well, I mean that, sir. I told him that last night, and I wired him from Washington.

Mr. Arnold. We think so, too.

Mr. Clark. The Department of Agriculture, likewise, has done a splendid job in telling us where the agricultural areas that were suited to these particular types of people are located and where labor is needed at certain periods and dates. We decided that these 2,800 Japanese could be easily cared for in different areas without creating any concentration or reservoir place. You might establish a registration center. We proceeded along the theory that those 8,000 could be assimilated easily into the various areas of California. And I think our position has been proven true.

EVACUATION FROM AIRPORT AREA

I sent a man around to the Municipal Airport last Friday and he telephoned me he couldn't find any Japanese there. I think that we have shown that they can be evacuated from those areas that have been designated by the Attorney General at the request of the War Department, sir.

Mr. Arnold. Can you tell us how much of the movement on the 15th of February disrupted the employment pattern of the areas affected?

Mr. Clark. I am a lawyer and I don't know about that. However, I would say it didn't affect it at all.

Mr. Arnold. Do you know if any of these people have found employment?

Mr. Clark. Mr. Neustadt can tell you that. I don't imagine he has that information in his head but he can get it from his records. But the whole program, sir, was predicated on the proposition that they would find employment. In fact, that is why I insisted on having Mr. Neustadt and his group, because the United States Employment Service operates in California and Washington and Oregon.

On every poster we put up in an area and on every piece of newspaper publicity I stated that these enemy aliens should go to their local employment office and Social Security Board, not only for information as to what restricted areas were created and whether they lived in them but to secure advice and counsel and assistance in evacuating an area.

Mr. Arnold. I wonder if your office has adequate statistics as to the age, the sex, and the occupational characteristics of those who are being evacuated?

Mr. Clark. No. We don't.

Mr. Arnold. Do you know whether there has been any discussion of using evacuees in reclamation work or on strategic military roads or farm work?

Mr. Clark. Yes, sir. There has been. Our form 22 on the registration will have all that information. I am sure Mr. Neustadt's information includes all that. We also require the enemy aliens to secure permission from the district attorney before they can move so we will know every one that moves and where they have moved to. Then, by reference to form 22 we could give you the information that you would like to have.

Mr. ARNOLD. Has any arrangement been worked out with the United States Department of Agriculture for the employment in agriculture in California of evacuees?

Mr. CLARK. Yes, sir; they have been out here. Mr. Dodd came out from Washington. Mr. Thompson, who sits here [indicating], came out and has been working very closely with the war boards in all the counties.

ALIENS SACRIFICING PROPERTY

Mr. ARNOLD. We understand that no provision has been made for disposing of the nonmovable property of aliens and that many of them are sacrificing it.

Do you not feel a custodianship should have been instituted before the evacuation on the 15th of February?

Mr. CLARK. Well, sir, I think that that is a condition that should never have existed.

And it is rapidly becoming worse. I have some letters indicating that persons not informed as to which areas are being and to be evacuated have sold their machinery and their property for practically nothing. Frankly, I think that if your committee could bring about the appointment or the designation of the proper party to take care of the property of these unfortunate people, you would have done a splendid day's work. In fact, it would be well worth all your trip out here if you could get that done and done immediately.

The CHAIRMAN. Well, Mr. Clark, we were not here 12 hours when we immediately phoned Washington about this serious proposition.

Mr. CLARK. That is fine, sir.

The CHAIRMAN. I think the reason for the delay is that Washington is 3,000 miles away. They still don't have the story about vulnerability of the Pacific coast. We found it was a question of jurisdiction. Then, we found out that the Treasury Department has the jurisdiction.

Mr. CLARK. Well, it doesn't matter who has the jurisdiction just so they get busy.

URGENCY OF NEED FOR CUSTODIAN OF ALIEN PROPERTY

The CHAIRMAN. We have to have a regional office here to take care of the property of aliens. That is true, isn't it?

Mr. CLARK. Yes, sir.

The CHAIRMAN. We have got to do it at once. Isn't that true?

Mr. CLARK. Yes, sir.

The CHAIRMAN. In other words, it should precede the evacuation, is that right?

Mr. CLARK. I think that would have been the orderly process, sir.

Mr. ARNOLD. You just returned from Washington, Mr. Clark. Do you know if there are any plans to establish such an office or make other arrangements before the invocation of the President's recent order?

Mr. **Clark.** Yes, sir.

Mr. **Arnold.** There are plans?

Mr. **Clark.** There are, sir.

Mr. **Arnold.** Do you know whether the War Department plans to call on the Department of Justice to assist in the evacuations under the President's order?

Mr. **Clark.** General DeWitt told me he intended to do that, sir.

Mr. **Arnold.** Do you know whether the Federal Security Agency plans to call on the Department of Justice to assist in evacuations under the President's order?

Mr. **Clark.** I don't know. Mr. Nuestadt?

Mr. **Neustadt.** If the Army wants us to help or the Department of Justice wants us to help they call on us.

ALL AGENCIES MUST COOPERATE

Mr. **Clark.** Under the President's order the General can call on any governmental agency.

Mr. **Arnold.** In other words, you intend to all cooperate?

Mr. **Clark.** I'll say we do.

Mr. **Arnold.** And do the job to the best of your ability?

Mr. **Clark.** Yes, sir.

Mr. **Arnold.** We understand that the enemy aliens evacuated bear the expense of movement. Are any plans contemplated for changing this arrangement under the President's recent order?

Mr. **Clark.** Yes; the order provides for it.

The **Chairman.** From under what appropriation will that money come?

Mr. **Clark.** That is what I have been wondering about. I talked to some of your good colleagues. They told me they would be happy to request an appropriation for this purpose. The War Department is taking care of that.

The **Chairman.** I think it is being taken care of through the emergency fund.

Mr. **Clark.** The President gave Mr. McNutt, who is Mr. Neustadt's boss, a half million to take care of this emergency that we have.

Mr. **Arnold.** I realize you can't commit yourself on the size of future evacuations. However, Mr. Neustadt testified that at present no Federal agencies are equipped to handle the evacuation of a large number of aliens or citizens.

Would you agree with this statement?

QUESTIONS NEED FOR MASS EVACUATION

Mr. **Clark.** Well, I don't think that there is going to be any mass evacuations.

Mr. **Arnold.** You don't think there will be any mass evacuations?

Mr. **Clark.** Just as Congressman Tolan said a moment ago. General DeWitt doesn't intend to have any mass evacuations. Frankly, I think it is just a question of our being able to tell these people where they can go. Then those that don't go, will be evacuated. But the Army can take care of that without any trouble.

Mr. ARNOLD. You don't know of any plans for organizing a new agency to take care of this?

Mr. CLARK. No, sir; there are no plans.

The CHAIRMAN. May I interrupt at this point. I am trying to think this thing out, as we go along.

The Army is working on this problem. We have the civilian defense organizations in cities. We have a Justice Department; we have the Social Security.

Should there be some place, on the Pacific coast, a sort of a clearing house, a central body that checks in to see how you folks are getting along, to make contacts with the law enforcement agencies of Oregon, Washington, and California? Do you think that something like that would be helpful?

Mr. CLARK. I don't believe so, sir. Well, it all depends on the jurisdiction that you gave them and the size of the agency and just what their function would be. Frankly, I think, we have gotten along a hundred percent.

Mr. SPARKMAN. Well, that is really your job, anyhow, isn't it?

Mr. CLARK. That is what I have been doing.

Mr. SPARKMAN. You are a clearing house for those agents?

Mr. CLARK. I have been clearing them 24 hours a day. It is hard on my wife but it is not so hard on me.

The CHAIRMAN. Yes; you are clearing the people out.

Mr. CLARK. No. I talk to Mr. Neustadt and he talks to his folks and his lawyer, and I get together with them and we talk over his problems. Mr. Thompson and I got together every time I was in Washington. Mr. Dodd came out, and I talked to him. He is an agricultural commissioner. We have talked to the W. P. A. Mr. Hunter was out, and he sent Mr. Nicholson from Salt Lake City. I talked to Earl Warren two or three times. I talked to Mayor Bowron down in Los Angeles, where our trouble is, and Mr. Allen, who is in charge of my office here in San Francisco and up north. He contacted people up there.

The CHAIRMAN. Let me ask you right there, Mr. Clark: The mayor of Oakland, or the mayor of Berkeley he can't come over here and see General DeWitt.

Mr. CLARK. No, sir.

The CHAIRMAN. He is busy and he can't talk to your boss, Mr. Hoover. They have got certain ideas. Now, where can they go?

Mr. CLARK. They have been coming to me, sir.

The CHAIRMAN. They have been coming to you?

Mr. CLARK. Yes, sir; or to my office. Of course, when I am not here my office goes on.

The CHAIRMAN. I want to ask another question. Do you think the Justice Department knows any more, for instance, as to who the disloyal citizens of Oakland or Berkeley, Calif., are than the local police officers?

Mr. CLARK. I think that is a problem for all of us to consider, sir.

The CHAIRMAN. Well, do you pay any attention to them?

Mr. CLARK. To the local police?

ASSISTANCE OF LOCAL POLICE

The Chairman. Yes, to the local police.

Mr. Clark. I do, yes sir. They have been very helpful in our various raids that you no doubt read about in the newspapers.

The Chairman. They have been very helpful?

Mr. Clark. Yes, sir.

The Chairman. Well, now, I just wanted to get that thought over to the people over there. I wanted to get that thought over. Who do they go to? Do they go to you, or do they go to DeWitt; do they go to give information?

Mr. Clark. They have been.

The Chairman. Have you got a clearing house——

Mr. Clark (interposing). They have been coming to me. And the General, whenever anybody contacts him, has been sending them to me. He gets letters, of course, and usually sends them over if he thinks that is anything to it at all.

We have an office here that takes care of that. Then, Mr. Harrington, of my office, is in Los Angeles, and Mr. Burdell takes care of Seattle and Portland.

We are lawyers. We don't presume to know much about some of the problems that are involved here. We think that is largely a military problem. We are trying in an emergency that came up very suddenly, as you have already stated, to fill in a gap. It is going to be a program that is going to take a long time to work out.

I think your over-agency idea would be all right, or that one such agency, other than the Justice Department, should be designated, such as the Social Security, for example. You have here a resettlement problem. We are not resettlement people, we are lawyers.

Mr. Arnold. Have plans been made in connection with the Farm Security Administration and the Work Projects Administration to assist in the forthcoming evacuations out of prohibited areas?

Mr. Clark. Yes, sir. I talked to Baldwin. He is head of the Farm Security, and to Mr. Hunter of the Work Projects Administration.

Mr. Arnold. And they are going to cooperate in this movement?

Mr. Clark. Yes, sir.

The Chairman. There isn't presently any alien property custodian out here, is there?

Mr. Clark. Well, the Federal Reserve bank, through Mr. Hale, as I understand it, has charge of what you might call the stop accounts or the frozen accounts in banks. I don't think there is any other agency. When I left Washington last Saturday there was no other.

The Chairman. Mr. Clark, you are familiar, of course, with the Executive order of the President issued last Friday?

Mr. Clark. Yes.

The Chairman. And you took part back in Washington in the conversations in relation to that Executive order, is that true?

Mr. Clark. That is true; sir.

MEANING OF EXECUTIVE ORDER

The Chairman. Will you state briefly for the record and for the people here what you understand that Executive order to mean?

Mr. CLARK. I think the Executive order simply places in the Secretary of War the authority that is vested in the President under his war powers to create such military zones as the Secretary of War or any commander designated by the Secretary of War may think is necessary to protect any part of the United States.

The CHAIRMAN. Mr. Clark, the congressional delegations of Oregon, Washington, and California met almost daily. That Executive order followed the recommendation of this Pacific coast delegation.

Mr. CLARK. I think you did a swell job.

The CHAIRMAN. So far I haven't heard one single complaint about your Department or General DeWitt.

Mr. CLARK. Well, that is mighty nice.

The CHAIRMAN. But I still think that the local enforcement agencies ought to get into this picture a little bit more and be heard.

Whether or not you are going to be the clearing house for them to come to, we don't care. But there should be some place and somewhere that this could be done. We have got to back it up—this work, with the men and women of California and Oregon and Washington.

Now, let me tell you something further. It is admitted in Washington that the most vulnerable part of the United States is the Pacific coast. They tell us there that the West coast can be bombed and probably will be bombed, so we haven't any time to lose. We are here as a sort of a sounding board to get the opinions of you people.

Mr. CLARK. Yes, sir.

The CHAIRMAN. First I think an alien property custodian should be appointed at once so that we don't hurt any more people out here than we have to. Secondly, I think the enforcement officers in these cities should have a clearinghouse to go to—either to you, or to whoever has that capacity.

POSITION OF F. B. I. IN EVACUATION

Mr. CLARK. Well, I agree with you on the first point. On the second, the President in his Executive order, issued 2 or 3 days after Pearl Harbor, designated the Federal Bureau of Investigation and called upon all law enforcement officers and other persons, citizens or otherwise, to report to the Federal Bureau of Investigation itself and various offices over the United States any matter that they thought would be of benefit to insure the proper enforcement of our laws and the prevention of sabotage and espionage in the United States.

Frankly, Mr. Hoover, has, I think, one of the finest organizations that has ever been set up of this type.

The CHAIRMAN. We agree with you.

Mr. CLARK. I think you have to have an over-all picture of the United States. I grant you that you have a peculiar situation in California, but we have to look at it on a broad plane. If these law-enforcement agencies will report and cooperate with the Federal Bureau of Investigation I think you have the answer to your problem. But that is out of my line. I am not an investigator. I am under the Attorney General of the United States; those matters are entirely up to the Federal Bureau of Investigation. They have been doing a swell job, as I think you will agree.

The CHAIRMAN. Absolutely.

Mr. Clark. Now, if these local officers or any citizens will report any matter that they think the F. B. I should know, they will find that prompt attention will be given to it and absolute cooperation.

POINTS BROUGHT OUT IN EAST BAY PANEL

Mr. Sparkman. You would have been interested in hearing the testimony of the panel of officials from the East Bay area this morning. They were not particularly complaining but they did mention some things that might easily be smoothed out.

Mr. Clark. Yes, sir.

Mr. Sparkman. Such things as this: For instance, when the seizure of alien property began—cameras, radios, and so forth—they said the only information they ever had of that was through the newspapers and the radio. They stated that aliens brought their property in and that they had had no instructions whatsoever from anybody in the Federal Government, asking them to receive that property, or telling them what to do with it, or how to handle it.

It seems to me that cooperation is a matter that works both ways and that in all fairness to those local officials they should have received some definite instructions or requests from some agency of the Federal Government as to how to operate.

Here is another thing they mentioned. In picking out some of these defense areas and strategic military areas, the local officials, who know a great deal more about their own community than some of the outside people can possibly know, were never consulted and the result was that some very peculiar situations developed. In one of the East Bay cities it was stated that the most important military area had not been designated as a restricted or prohibited area, whereas, other areas of much less importance had been so designated.

I am just wondering whether in your capacity as coordinator something can't be done to let these local people, who feel their responsibility to report irregularities and cases of disloyalty to the F. B. I., also participate in the whole program?

Mr. Clark. Yes, sir; I think that is a good suggestion. As to the cameras, that order was entered back in December. As I stated, I didn't come into this picture until about 3 or 4 weeks ago. I found out then that some of the material that had been picked up was being kept in various offices, so I got Washington to enter an order requiring everybody to turn it over to the United States marshal so we could have it one place.

F. B. I. IN CHARGE OF EVACUATION

Mr. Sparkman. Well, to make it more recent, they say this evacuation order is going into effect tomorrow but not one word has been said to the law-enforcement officers with reference to moving the people out of these areas.

Who is going to move them out?

Mr. Clark. The F. B. I.

Mr. Sparkman. Without the cooperation of local officials?

Mr. Clark. Oh, they will ask for that when it is necessary. The local officials, in fact, posted those whole areas for us.

Mr. SPARKMAN. Well, now, that is contrary to these mayors and chief of police this morning.

Mr. CLARK. Well, the civil-defense boards did.

Mr. SPARKMAN. I believe we even had some of those here too and they said not.

Mr. CLARK. They have been very cooperative. All we did was to have the posters printed and then called in the local defense board chairmen. They had them distributed and posted in the various areas. It was most effective in southern California particularly. We have done the same thing up here.

Mr. SPARKMAN. I hope when the testimony of the morning session becomes available you will read particularly what these gentlemen said from over in that area because it did give a picture of lack of coordination and lack of cooperation, even though they were anxious to cooperate.

Mr. CLARK. I will be happy to get that testimony. Everybody knows where the areas are; the local defense board posted them.

As far as evacuation is concerned, frankly, I don't think we are going to need anybody to evacuate them other than the F. B. I.

Mr. SPARKMAN. Well, now, that is true, probably, on this particular evacuation but as other areas are set up and the people are moved farther and farther inland, it seems to me that you are probably going to have to change from a voluntary evacuation to one of actual moving of the people.

COOPERATION OF LOCAL OFFICIALS

Mr. CLARK. I think so, too. I think, in that instance the Army would be charged with that responsibility and if they decide, like the F. B. I. has in the past, to call upon local officials, I am sure they will. We have found local officials not only anxious but willing to cooperate in every request that we have made.

Mr. SPARKMAN. Well, these gentlemen signified their willingness and their desire.

Mr. CLARK. Yes, sir.

Mr. SPARKMAN. But I did gather from their statements that there was a feeling of lack of instructions, lack of knowledge, and lack of coordination.

Mr. CLARK. Well, I am sorry that they have that feeling.

Mr. SPARKMAN. I just wanted to call your attention to that. I thought it would be of interest to you. That is all.

Mr. CLARK. I appreciate that very much.

The CHAIRMAN. Mr. Clark, I just have one or two questions to ask you. We don't want you to get the idea that we are here in criticism of you. We think you have done a fine job. General DeWitt thinks so too. What is the number of your staff?

Mr. CLARK. We have 31 lawyers and about 15 stenographers.

The CHAIRMAN. And what area do you cover?

Mr. CLARK. We cover three States.

The CHAIRMAN. How many people are involved in this evacuation, would you say?

8,000 TO BE EVACUATED

Mr. Clark. In the evacuations, up to date, around 8,000.

The Chairman. 8,000.

Dr. Lamb. Does that include the evacuation effective on tomorrow, the 24th?

Mr. Clark. Yes, sir.

The Chairman. Do you think your staff is sufficient?

Mr. Clark. I spoke to the Attorney General about that and we are increasing the staff, sir.

The Chairman. How much?

Mr. Clark. He told me to put on any number I thought was necessary. I don't think we are going to need very many more. The Army has indicated that they have plenty forces to help. Frankly we don't need lawyers to do this type of work.

The Chairman. Congressman Sparkman's questions, I think, hit the heart of the whole thing and that is the coordination between the local enforcement agencies and you.

POSTING OF AREAS

Mr. Clark. Yes, sir. I just received a note from Mr. Allen, who manages this area up here. He tells me the East Bay area was posted by the Civil Defense Council of Alameda County, that the city manager and the Civil Defense Board of Antioch posted them. The sheriff posted them along the coast points and the Oregon State police posted them in Oregon and the highway police posted them in Washington.

Now, there are a lot of these people that are anxious to help and we are anxious to get them to help. But when you get too many it just creates confusion, so we have called upon those whom we think are best suited geographically or otherwise to do the work that we have in hand at that particular time and, frankly, we have gotten a hundred percent cooperation.

The Chairman. But have you been designated by Washington as a sort of a clearing house for the contacts with the local officials or have you just taken that authority and are doing the best you can?

Mr. Clark. Well, I think the people, possibly from the newspaper stories, decided they would call somebody and they began calling me. In fact, I had to move my hotel because they called me so much.

The Chairman. Take the city of Oakland. If they have a situation there or have some ideas about the areas or who should be evacuated, who are loyal and who are disloyal, who would they go to?

DESIGNATION OF MILITARY AREAS

Mr. Clark. The Army has designated all of the areas and they have picked those areas from a military standpoint. Personally, I wouldn't quarrel with them from a military standpoint.

The Chairman. We can't. They have the jurisdiction.

Mr. Clark. They know where the defense areas are; they know where the defense plants are. They know what their problem is. I am not going to quarrel with them about that. I have had several protests which I have taken up with the general and he has had investigations made by his staff. Of course, what you must remember is that these original designations are just beginning in an effort to solve the problem. It is a progressive problem. It is one that you can't solve overnight.

The CHAIRMAN. Yes.

Mr. CLARK. So the general, in designating these areas, was designating those that he thought were the most strategic and that should be evacuated as soon as possible. Later he is going to add additional areas.

The CHAIRMAN. I am satisfied about that area proposition because we can't do anything about it. That is up to the military authorities. Let's not waste any time on that.

Whom do the local enforcement officers go to in Oakland to report cases of loyalty and disloyalty?

Mr. CLARK. The F. B. I.

Dr. LAMB. On that point, Mr. Clark, it isn't a question of loyalty or disloyalty. As far as this evacuation is concerned it is a question of alien or citizen. You evacuate them because they are in a certain category.

Mr. CLARK. Yes, sir.

Dr. LAMB. Appeal at this time makes no difference.

The CHAIRMAN. Oh, yes, Doctor.

Mr. SPARKMAN. Not yet.

The CHAIRMAN. Oh, yes; it does. There is absolutely going to be discretion.

NO EXCEPTIONS FOR LOYALTY

Dr. LAMB. I would like to ask Mr. Clark that question with respect to the 24th.

Is it true, Mr. Clark, that so far there have been no exceptions made on the basis of appeals because the person is said to be loyal?

Mr. CLARK. It has not been based on that at all. There are no exceptions for that.

Mr. SPARKMAN. Not yet.

Mr. CLARK. Under the new order it is a different proposition.

The CHAIRMAN. Yes. Let's get down to brass tacks now. The wording of the Executive order is such as to include the evacuation of all citizens. Well, it won't mean exactly that in practice; we know that. It is going to be put on a registration permit basis with distinction made between loyal and disloyal. It has not been set up yet. It will be set up because we discussed that for days back in Washington. There is no question about that.

But what I would like to know, who do those people go to? Do they go to you?

Mr. CLARK. You see, the Doctor is talking about the old order that the Attorney General had jurisdiction over, while you are talking about the Executive order of the President. Is that right?

Dr. LAMB. I had reference to the fact that to date there is no machinery set up for such decision.

Mr. CLARK. Yes. Now, of course, under the President's order, that is up to General DeWitt.

The CHAIRMAN. Oh, yes, we agree on that; it has not been set up yet.

Mr. Clark. That is right.

The Chairman. But I am still thinking in terms of how these local officials act? Who do they go to, what agency?

GENERAL DE WITT WORKING ON PLANS

Mr. Clark. Well, sir, under the order of the President of last Friday, they will go to whatever agency General DeWitt tells them to go to.

The Chairman. Yes.

Mr. Clark. He is getting up that. He is working night and day on the areas and on what agencies.

The Chairman. He is doing a good job.

Mr. Clark. Yes, sir; a splendid job. I think the people of the west coast should be thankful for having him here. They are very fortunate.

The Chairman. You see why we are puzzled about that. We get puzzled in Washington. There are so many agencies we get lost.

Mr. Clark. The thing about this order, he can pick his agencies. He doesn't have to have all of them. He can say "I want you to do this and you that."

The Chairman. Yes. This is Dr. Lamb's question, if you care to answer. There are no definite steps yet, or are there, in regard to this evacuation, under the new Executive order of the President?

Mr. Clark. No, sir.

The Chairman. To be absolutely fair with you, Mr. Clark, General DeWitt told us Saturday afternoon that he had not received definite instructions under the Executive order as yet. So that is correct, is it?

Mr. Clark. No; the general has got his instructions and he is working on them, sir, but I frankly can't discuss his plans.

The Chairman. Yes. Supposing, Mr. Clark, as long as we are talking man to man, that there was an attack on the Pacific coast. If it comes, undoubtedly it will come quite soon. Japan has got to win this war quickly or she hasn't got a chance at all; we all know that. Well, suppose there is a mass evacuation of the Pacific coast people—where would they go?

Mr. Clark. Well, I don't know. If they have to go, I don't think the Pacific coast is going to get panicky about it. I have been out here a couple of years. I am very much sold on the folks out here. I was here in the first black-out. During the second or third one I was trying a case here in Judge St. Sure's courtroom and I didn't notice any change. The people here are not the panicky type. If there had to be an evacuation I imagine they would go inland. Of course, we would be glad to have them down in Texas. We are the same kind of folks.

The Chairman. For instance, the city of Los Angeles, or the county there. I do not know how many people they have got there. I used to know years ago. They had a couple of million then.

Mr. Clark. That is just south of your town, Congressman. They have extended the limits so far that it has practically got in your town now. You ought to know about that.

The CHAIRMAN. But, you know, England had the very fond hope that they wouldn't have to evacuate. We heard in Washington Malcolm MacDonald, the son of the late Premier Ramsay MacDonald. He told us about the evacuation there and the way they handled it. I thought it was wonderful. They have gone out in the country and they have taken these old English mansions. They had to evacuate. The reason I asked that question was to look into that in case something like that did happen, you see. Of course, you haven't gone quite that far.

Mr. CLARK. Well, sir, I would say this—I am sorry that I have to keep on referring to this but it is my opinion: I think evacuation is a military problem. I think that is a problem which should have been solved in France so that they wouldn't have been troubled the way they were. I think the general has got that in mind; he is pretty far-seeing.

As far as Walter Lippmann's article was concerned, I think they are going to have a lot of hurdles before they get to fighting here in California. Mr. Lippmann doesn't think so. I think so, and I think General DeWitt has plans. In fact, I know he has.

The CHAIRMAN. So do we.

Mr. CLARK. I don't think we have to talk so much about the evacuation. I think it is well to think of it, to have some plan. I am sure the general has something along that line if it becomes necessary.

The CHAIRMAN. All right; thank you, Mr. Clark, very much.

Mr. CLARK. Yes. Any time I can serve you just let me know, sir.

The CHAIRMAN. Mr. Clark, the two exhibits you submitted will be inserted in the record at this point.

(The exhibits referred to are as follows:)

EXHIBIT A.—TYPICAL LETTERS OF HARDSHIP CASES

FEDERAL BUREAU OF INVESTIGATION,
111 Sutter Street, San Francisco, Calif.

GENTLEMEN: After watching my mother worrying and suffering for several weeks over the thought of being separated from the rest of her family due to alien moving act, I write this appeal to your sense of justice to consider her case to determine if any other adjustments are possible. In a brief summary of our family history, I will attempt to show you why I am making this appeal to you.

In 1920, after my father, ——— ———, had been living in McCloud, Calif., for 10 years, my mother arrived from Italy. They were married the same year, and in 1921 I was born and followed later by a brother and sister, all born in California.

From McCloud we moved to Richmond in 1924 where my father has been working in factories since. At present, my sister is attending high school, and my brother has been working for the ——— ——— since his graduation last month. Since 1930 my mother has been managing a combination grocery store-gasoline station (which incidentally has been serving the owners of our neighbor, ——— Co., for years) in the front portion of our home. Closing of the store, with unpaid balances on some of the equipment, will be necessary if my mother is required to move. As for myself, I am in my fourth year of study in mechanical engineering at the University of California and am in the process of applying for appointment as ensign, ———, United States Naval Reserve.

Since my folks received very little education in Italy due to impoverished conditions and since they have always worked here, it made it very difficult for them to obtain their citizenship here. However, my father, beginning by learning the alphabet, studied enough so that he was able to obtain his citizenship over a year ago.

After my father was naturalized, we children taught our mother, and she made her application for her second papers last December. Since then, in addition to our teaching her, she has been closing the store to attend school. She hopes to be called for her test soon.

Since her arrival here, my mother has always done her best to do what a good citizen should. As soon as war broke out, she invested a good portion of her life's savings to buy $1,100 of defense bonds, and my father is buying them through weekly deductions in his wages.

If you desire any further information, please let us know. We would feel deeply obligated if after consideration of this letter you would make any suggestions as to a more adaptable plan.

Sincerely yours,

——— ———.

FEBRUARY 6, 1942.

ATTORNEY GENERAL,
Seventh and Mission Street,
San Francisco, Calif.

YOUR HONOR: I am a widow who unfortunately haven't got my final papers. I now live in Monterey. I came here because my son ——— was stationed here at the Presidio of Monterey. My son has been in the Army a little over 5 years. I as a widow had to give my consent and I gladly gave it. I have a daughter ——— who works at ——— ——— at the ——— ——— and she is my only child living with me. I also rent out a room to a young lady a citizen. Now I hear and read that all enemy aliens have to leave Monterey which, I believe, includes me. I went to the police station here to try to find out officially what one has to do and where one can live at and the sergeant told me he did not know officially and that maybe there will be a change in the rules later on. I would like to know just what to do because it will be hard to make a move at the last moment because of the great confusion which will be on hand, because if all the enemy aliens in Monterey will move at the last moment I know I won't be able to find a place to live. I am a stranger here. Someone also told me that if one stays at home and does not leave their homes at any time that one can stay where they now reside. I would be very glad and happy to do that if I could. If you could give me any information I would appreciate it very much and if you can't will you please tell me who can. Thanking you a lot and awaiting your answer, I remain,

Yours truly,

——— ———.

FEBRUARY 9, 1942.

Office of Mr. TOM C. CLARK,
Alien Coordinator, San Francisco.

Re request for curfew extension.

GENTLEMEN: The undersigned had to leave Germany in 1933 because he saw no possibility to continue his studies, being of Jewish race. For this reason he went to Italy and in 1938 was forced to leave the old country, when Italy declared her scheme of racial persecution.

At the present time I am employed with the ——— ——— and working at the ———, ——— Street. My regular working hours are from 4 p. m. to 12 m., and it takes me approximately 45 minutes to get to ——— Boulevard, where I live with my parents.

I would be more than grateful, if you could extend the curfew in my particular case till 1 a. m., because that would mean that I could hold my present job, and it would keep me from becoming unemployed.

I arrived in the United States on May 8, 1939, and took out my first papers on September 6, 1939, here in San Francisco.

I was deferred in the draft, and put in class 4–F, due to a serious heart ailment, contracted in connection with a septic pneumonia, I had in November 1940. My brother is serving with the United States Army.

As personal references I might mention Mr. ——— ———, attorney, ——— Building, San Francisco, and Mr. ——— ———, ——— Building, San Francisco, both of whom have known me and my family for a number of years.

I enclose a statement from my employer and have sent a copy of both letters to the Federal Bureau of Investigation, San Francisco.

Hoping to receive a favorable reply, I am

Sincerely yours,

——— ———.

EUREKA, CALIF., *February 6, 1942.*

EARL WARREN,
Attorney General, Sacramento Calif.

DEAR SIR: In view of the present alien situation I doubt whether this letter will reach you personally, but I do wish I could have my questions answered if possible.

In writing this letter I am speaking of my mother and father who are considered enemy aliens. They were both born in Austria in the late 1880's. My mother came to the United States in 1923 and I was born a year later. My mother and father lived on the edge of the woods in Eureka for the next 11 or 12 years. My father worked on a ranch that was below our home and my mother did the work at home. There were only 2 children in the household; me and my bigger sister. In 1930 my younger sister was born. My mother never got a chance to speak to many English-speaking people and my dad was at home little of the time to talk English himself. About 7 or 8 years ago we moved to a place closer to the town. We bought the place and had a mortgage on it for several years. My father was employed as a dishwasher in a local restaurant, and there bit by bit learned to talk better English. My mother still couldn't speak good English but had a better chance to learn as there were many English friends living around us. In 1940 or 1939 they both applied for their citizenship papers, with the understanding that they would have to learn to read and write by the time their 2 years was up for their second papers. They had never gone to school in the old country so they could neither read nor write their home language. This made it more difficult for them to learn, but my mother started to go to school for the foreign born. She had a hard time of it, but now she had come to the point where she could read a considerable amount. My father did not have much of a chance to learn as he had to work at night and sleep during the day and do his work at home that I did not do.

I am a senior in the Eureka Senior High School and I was looking forward to get a job in some defense industry when I graduate in June and help out my mother and father. They have always been poor and have had a hard time of it. My father only makes $3.50 a day and this has to support a family of four. Under this new alien ruling my father who has work in a restaurant approximately 200 feet into restricted area. Unless my father gets a permit to get into this area for his work and back he will be forced to work elsewhere. Now an alien would have a hard time to find a job other than what he is fitted for. There are not many other restaurants in which he could work if the job at which he is working now is taken away. They are known, that is my mother and father, by many people in town who are respectable citizens and hold important offices. They are known by most of the law-enforcing officers of the city. They have never been in trouble of any sort and have always complied with the laws of our city. We have an acre and a half of land and own cattle and fowl.

With the information told above I would like you to answer the following questions for me if it is possible.

Due to the fact that they are Austrians and are under the Axis domination would that mean that he would be restricted from this work which is only 200 feet or so from the boundary?

Would it mean that I could not get a job in a defense industry or hold a government job?

Is there any danger of them having to evacuate under any condition for any reason that I have stated above?

Could he get a pass to go to his work and back if the verification of the people I mentioned was stable enough?

Would the Government offer any job to him if he was unable to find a different one in this city?

If you have any other information that might relieve me in my anxiety and worry for their safety, please let me know. I would like to receive an answer before February 25 if possible.

Respectfully yours,

——— ———.

EXHIBIT B.—PETITIONS OF ITALIAN ALIENS REQUESTING TO REMAIN IN MILITARY AREAS AND CONTINUE IN PRESENT OCCUPATION

PETITION OF ——— ——— AND ———, ——— ———, FOR PERMISSION TO CONTINUE TO LIVE IN THEIR HOMES WHICH ARE WITHIN THE SO-CALLED RESTRICTED AREA

——— ———, 29 years of age, born in Italy, has lived in Santa Cruz, Calif., continuously for 23 years, and has petitioned for naturalization to become a citizen of the United States. His wife, ———, is a native-born citizen of the United States. They were married in June 1937 and have three children aged 4, 2, and 2 months, respectively.

He lives in property owned by them at ——— Avenue, Santa Cruz, Calif.

——— ———, 59 years of age, a widow, born in Italy, has lived in the United States continuously for 23 years and now resides in property owned by herself, at ——— Street, Santa Cruz. Her two sons ——— and ——— are her sole support.

Brother and son, respectively, of petitioners, ——— ———, is a citizen of the United States, and is now in the United States Navy. Previous to entering service, the two brothers conducted a retail fish market on the municipal pier at Santa Cruz, the ownership of the same being vested in the name of ——— ———, single.

None of the family has ever been arrested or accepted public or private charity. They are all stanch believers in the form of government of the United States, sincerely attached to the principles of the Constitution of the same, and pray that it may survive.

If petitioner ——— ———, is required to leave, it will work a great hardship on the family, as citizen wife, minor children, and dependent mother, have no means of support other than from his brother's business conducted by himself.

They pray that their petition may be granted.

PETITION OF ——— ——— AND WIFE, ——— ———, TO CONTINUE TO RESIDE IN THEIR HOME

——— ———, 74 years of age, born in Italy, has continuously resided in the United States since 1900 and in Santa Cruz, Calif., since 1908 and has declared his intention to become a citizen of the United States. He is blind in one eye and has not been employed for the past 9 years.

——— ———, 58 years of age, born in Italy, has continuously resided in the United States since 1913 and has declared her intention to become a citizen of the United States. She is an invalid and under the care of a physician.

They have four adult (two native-born) children; three sons, who are married, and one daughter also married, and all are living apart from them.

They reside in property owned by them at ——— Street, Santa Cruz, Calif., where they have lived for the past 10 years.

None of the family has ever been arrested or accepted public or private charity, the children having provided for and supported petitioners. They are all stanch believers in the form of government of the United States, sincerely attached to the principles of the Constitution of the same, and pray that it may survive.

If petitioners are required to leave their home, it will work a great hardship on them because of their advanced age and physical condition.

They pray that their petition may be granted.

PETITION OF ——— ——— AND WIFE, ——— ———, FOR PERMISSION TO CONTINUE TO LIVE WITH THEIR CHILDREN, AND THAT ——— ——— BE ALLOWED TO RESUME HIS OCCUPATION AS A COMMERCIAL FISHERMAN

——— ———, 58 years of age, born in Italy, has continuously resided in the United States since 1903, and has declared his intention to become a citizen thereof. ——— ——— arrived in the United States in 1908, was married immediately thereafter on January 12, 1909, and has never departed from the United States.

Since their marriage they have resided in Santa Cruz, Calif., and now live at ——— Street on property which they own. They have six children. Two sons, ——— and ———, enlisted in the United States Navy, and their son, ———, enlisted in the United States Army, and all three are now in active service. These sons were the support of the family. Three daughters, ages 29, 18, and 14, respectively, are now living at home.

——— ——— has a tumor in her eye, and has been receiving medical treatment at San Francisco, Calif., regularly.

——— ——— owns his own boat and has been a commercial fisherman, having been assisted by his sons, who are now in military service. He has no other means of support for his family at home.

None of the family has ever been arrested or accepted public or private charity. They are all stanch believers in the form of government of the United States, sincerely attached to the principles of the Constitution of the same, and pray that it may survive.

If they are required to leave their home, there will be no one to care for and support their three daughters, nor have they any means of support unless the father, ——— ———, can resume his lifelong occupation as a commercial fisherman.

They pray that their petition may be granted.

PETITION IN BEHALF OF ——— ——— TO CONTINUE TO RESIDE AT PRESENT ADDRESS

——— ——— is an Italian national who has been the subject of United States immigration proceedings on account of his being a seaman who has been forced to remain in the United States on account of the seizure of the vessel upon which he arrived, said seizure by Federal action.

After due consideration of all the facts, the central office of the United States Immigration Service, at Washington, D. C., authorized his release on bond in the sum of $500.

Mrs ——— ———, citizen of the United States, is the aunt of ——— ———. She resides at ——— Street, Santa Cruz, Calif., with her family of American-born children. One of her sons has been in the United States Navy since May 1941, and another is ready to enlist. It is evident that the privilege accorded ——— ——— was granted only upon the relationship and moral and financial standing of Mrs. ——— ———.

——— ——— has now been in the United States for nearly 2 years, and his association with his relatives who are citizens of the United States and his familiarity now with the system of government of the United States, etc., have brought him to the conclusion that he will be as loyal to said Government as are his relatives with whom he resides. At some future time he hopes to be permitted to become a legal resident of the United States and become a citizen thereof.

Reference is made to file No. ——— of the central office of the United States Immigration Service, Washington, D. C.

PETITION OF ——— ——— FOR PERMISSION TO CONTINUE TO LIVE WITH HER HUSBAND AND CHILDREN

——— ———, 46 years of age, born in Italy, has continuously resided in the United States since her arrival with her husband, ——— ———, who is a citizen of the United States, having been naturalized on May 4, 1927. She petitioned for citizenship in September 1941, and has just been notified to appear for examination by the United States Naturalization Service at San Francisco, Calif., so that she might complete her naturalization in the near future.

She resides at ——— Street, Santa Crus, Calif., in their own property. They have twin sons, 20 years of age, who will automatically become citizens of the United States on August 4, 1942.

She is a firm believer in the form of government of the United States, sincerely attached to the principles of the Constitution of the same, and prays that it may survive.

If petitioner is required to leave her home, it would work a great hardship on her to be separated from her family.

She prays that her petition may be granted.

PEITTION OF ——— ——— FOR PERMISSION TO CONTINUE TO LIVE WITH HIS FAMILY AND SUPPORT THEM BY BEING ALLOWED TO FOLLOW HIS OCCUPATION AS A COMMERCIAL FISHERMAN

I am 53 years of age; born in Italy. I came to the United States in May 1914 and have never departed therefrom. I have filed my petition for naturalization to become a citizen of the United States.

My wife, ——— ———, is a citizen of the United States. We were married on November 4, 1916, and have seven children. My oldest son, ———, enlisted in the United States Navy in May 1941, and is now at ——— ———. My next two sons, aged 20 and 18, respectively, are ready to join the United States armed forces when called. My son-in-law has applied for entlisment in the United States Navy, and, when accepted, my daughter will be compelled to reside at my home. My wife has been under medical treatment with a spinal injury for the past 3 years.

We own our own home at ——— Street, Santa Cruz, Calif. in which city we have lived for the past 26 years, 20 years at the present address. At present our household consists of wife and self, and five children.

I own two registered fishing boats and have been a commercial fisherman for many years and until recently deprived of the privilege.

Neither I, nor any member of my family, have ever been arrested, nor have we accepted public or private charity. I am a firm believer in the form of government of the United States, sincerely attached to the principles of the Constitution of same, and pray that it may survive.

If I am required to be separated from my family and also continue to be deprived of an opportunity to engage as a commercial fisherman, it will work a hardship on us which I feel sure it is not the desire of the Government to impose.

I pray that my petition may be granted.

Mr. Sparkman. Mr. Goldblatt.

TESTIMONY OF LOUIS GOLDBLATT, SECRETARY, CALIFORNIA STATE INDUSTRIAL UNION COUNCIL, SAN FRANCISCO, CALIF.

Mr. Sparkman. Mr. Goldblatt, will you give your name and official capacity in which you appear to the reporter.

Mr. Goldblatt. My name is Louis Goldblatt. I am secretary of the California State Industrial Union Council, affiliated with the Congress of Industrial Organizations.

Mr. Sparkman. Mr. Goldblatt, you did not supply us with a prepared statement. Will you just make your statement as you see fit?

Mr. Goldblatt. Yes; I would like to.

Mr. Chairman and members of the committee, I have several notes jotted down here and I would like to supplement them as I go along. I can also submit a written copy later on. Is that satisfactory?

Mr. Sparkman. If you will, we will appreciate it and be glad to have it.

The Chairman. Yes.

Mr. Sparkman. As I understand, you made a request that you be heard by the committee.

Mr. Goldblatt. That is right.

Mr. Sparkman. We would be very glad to have you make your offhand statement and then give us such prepared statement as you care to submit.

Mr. Goldblatt. This is a sort of semiprepared statement. I will also give you a finished copy.

The attitude of the California State Industrial Union Council on the establishment of restriction governing the movements and work of aliens of enemy nationalities stems from the basic policies of the Congress of Industrial Organizations, which is committed to the speedy and successful prosecution of the war. The touchstone of this policy is the belief that democracy can wage an all-out war against the Axis Powers and that the forces generated by a system of free government can and will triumph over facsism.

As labor-union members we recognize the urgent need for discipline, responsibility, and loyalty by all the people and support of their Government in the conduct of the war. Labor organizations, perhaps more than other civic bodies, know the dangers and inadequacies of individual action in times of crises. Consequently we support the relegation of matters dealing with sabotage and espionage to the proper Federal agencies. Regulation of Axis aliens is regarded in the same light.

INTEREST OF LABOR UNIONS IN EVACUATION

I might add here, Mr. Chairman, that the unions have a particular interest in this entire question of migration of workers as a result of these evacuation orders because, naturally, that would directly affect labor supply, the question of replacement of certain people, and an adequate backlog of labor, where that is necessary, in order to keep defense production going.

So our purpose in appearing here is on several scores, one, of course, to follow the entire proceedings and to try to get an idea how extensive this entire movement will be, so that we in turn can see what labor can do to help to see to it that there aren't whole strings of difficulties and hardships created within the defense production program or related to the production programs.

Secondly, we want to express some opinions on the entire matter of evacuation because it is not only the questions that arise now. The crux of the matter eventually will be how extensive shall the evacuation become. And in that regard we believe that some of the opinions we hold may be of value in the committee's mind.

The CHAIRMAN. Yes. Let me make a suggestion to you. You forget about that paper there. You just go ahead and talk the way you are talking now. We have a lot of witnesses here that we have got to hear and finish tonight.

Mr. GOLDBLATT. Surely.

DENOUNCES RACIAL ANTAGONISM

The CHAIRMAN. Why don't you get those points right off the reel to us? We will permit you to put the entire statement in the record.

Mr. GOLDBLATT. Surely. We naturally go along and concur with all the recommendations that the Government deems necessary to safeguard this territory. We feel, however, that a good deal of this problem has gotten out of hand, Mr. Tolan, inasmuch as both the local and State authorities, instead of becoming bastions of defense, of democracy and justice, joined the wolf pack when the cry came out "Let's get the yellow menace." As a matter of fact, we believe the present situation is a great victory for the yellow press and for the fifth column that is operating in this country, which is attempting to convert this war from a war against the Axis Powers into a war against the "yellow peril." We believe there is a large element of that particular factor in this present situation.

I am referring here particularly to the attack against the native-born Japanese, an attack which, as far as we can find out, was whipped up. There was a basis for it because there has always been a basis on the

Pacific coast for suspicion, racial suspicion, which has been well fostered, well bred, particularly by the Hearst newspapers over a period of 20 to 25 years.

Well, the result is that during this present situation local authorities simply ran out on the problem. We are happy to see the Federal Government step in and handle it. We are happy to see your committee here, because, frankly, to date we haven't seen either civic or State leadership that is competent to handle the problem or that has shown a great enough degree of impartiality to merit being even assigned the problem.

So that, in addition to the fact that this entire alien matter is naturally one that belongs in the province of the Federal Government, it is particularly important at this time because, frankly, I think the only people who have shown a semblance of decency and honesty and forthrightness in this whole situation are the second-generation Japanese who, on their own accord, have made the statement—some of these people are members of our unions—that in their opinion the thing they ought to do is get out of here. They are in accord with evacuation now, not in accord in principle but in accord simply because they realize that, perhaps, the only thing they can do now to avoid vigilantism, mob rule, and hysteria, beatings, and riots is to evacuate. Of course, that doesn't speak very well for either our State or local authorities that such a situation was permitted to arise.

WHERE WILL IT END?

What we are concerned with, Mr. Chairman is this: That if this is to become the index of our dealings with the alien problem—in other words, that if we are not to deal only with aliens but also with the descendants of aliens—then there is no limit to this problem and the program, and this vitally affects our unions. It affects the principles upon which we stand, affects the nature of our work, our entire job in the administration of contracts and everything else, because once this policy of making distinctions or determining espionage or sabotage along racial, national lines, has begun there is no end. You know, I am sure, and I am positive the military authorities know that neither Hitler nor Mussolini will hesitate a moment to sacrifice any Germans or Italians in this country if that will suit their purpose in an all-out war.

So that we can expect, I think, that if this campaign of isolating the Japanese is successful the next step will be for several incidents to occur which involves Germans or Italians; then the whole of the wolf pack will scream to the moon again and this time it will be "Evacuate all Italians, evacuate all Germans." The principle will have been set; the pattern will have been cut as it has been by the Hearst press, by the rabid, hysterical elements.

The CHAIRMAN. Suppose you were General DeWitt or the head of the Justice Department on the Pacific coast and you had 120,000 Japanese.

How would you determine the loyalty and disloyalty of these Japanese?

Mr. GOLDBLATT. In exactly the same way I would proceed to tell who was a loyal or disloyal Italian or German.

The CHAIRMAN. Where would you get the information?

INFORMATION GIVEN TO F. B. I.

Mr. Goldblatt. From many sources. I take it for granted that the Federal authorities that are entrusted with this job, such as the F. B. I., the Governmental Intelligence Service, and so forth, have, for over a period of years been at work and undoubtedly have gathered a great deal of information. For instance, I know that the unions I myself am personally familiar with have turned over to the F. B. I., documents that involve Japanese espionage, particularly down along the coastal sections of California. We got information on the activities of the German Bund at the Consolidated Aircraft Manufacturing Co. That was all turned over to the F. B. I.

We are sure that after all a department of this sort that has been working over a period of years has gathered its files.

We suggest in addition, if there is anything they believe we can do—and our unions are patriotic organizations—let them give us our instructions and we will go to work and do anything we possibly can.

The Chairman. We had our F. B. I. in Honolulu, yet they had probably the greatest, the most perfect system of espionage and sabotage ever in the history of war, native-born Japanese. On the only roadway to the shipping harbor there were hundreds and hundreds of automobiles clogging the street, don't you see? There they sought to distinguish the Japanese in Pearl Harbor from our American Japanese.

SECOND-GENERATION JAPANESE

Do you think there is a distinction yourself? Do you think we can trust them?

Mr. Goldblatt. The Japanese?

The Chairman. Yes.

Mr. Goldblatt. I think that the second generation of Japanese in this Nation should not be distinguished from the second generation of any other nationality.

The Chairman. Yes.

Mr. Goldblatt. Unless the F. B. I. or the military authorities have documents and facts to indicate differently. In that case we would naturally want to know. I am sure the public would want to know. Where can this thing end? Let us say that the first case is successful insofar as those people who want to disunite this Nation are concerned. They succeed in two things. No. 1, driving a big wedge in the direction of their entire program which is, at least, as far as the Hearst press, the ex-American firsters, who still are the same thing, which is to convert this war from a war against the Axis Powers into a war against this elusory "yellow peril." Let's say they succeed in doing that, Mr. Tolan. They take their next step. The next step is a simple one, in my opinion. They have a few Italians or a few Germans commit sabotage. After all, I am sure that neither Hitler nor Mussolini cares an awful lot what the consequences are to a few Germans or Italians in this country.

The Chairman. Let me ask you something about the Italians and the Germans. An Italian, for instance, has lived here for 30 or 40 years, has a family. That man is very easily checked up. But now supposing you have 100 Japanese and you are the enforcement officer;

you are the F. B. I. man. How are you going to check them? The attorney general of this State told us Saturday that at no time have they ever received any information as to the disloyalty of a Japanese from a Japanese. They have with the Germans; they have with the Italians.

Mr. Goldblatt. All I can say, it certainly doesn't speak very well of our attorney general's office, that is all.

The Chairman. Uh-huh.

HAS PRESENTED INFORMATION ON DISLOYAL JAPANESE

Mr. Goldblatt. Because we have had information and we have offered this information time and time again, offered it to various local district attorneys, offered it to the F. B. I. We have given information. There are local Japanese here who have given information. There is every indication that at various times certain companies that have employed Japanese, such as the Van Camp interests in southern California, have made it their business to completely isolate the Japanese, also to see to it that the Japanese have no contacts with various local agencies of governmental law enforcement. We know those things are true. Shall we, therefore, blame those local Japanese for the activities of the company?

The Chairman. I get your idea exactly. You are of the firm opinion there is no race, including the Japanese, 100 percent wrong. That is your thought, is it not?

Mr. Goldblatt. Well, of course.

The Chairman. What we are trying to worry about, how are we going to discover those who are wrong?

Mr. Goldblatt. That is the same problem with everyone. There are a bunch of small-fry fishermen out here. They are looking around for a bunch of little fishermen right now. That is all they are, just small fry. We let the big fishes get away such as Andriano Sylvester, a man who is registered as a governmental agent of Mussolini, and we allow him to serve on the draft board in San Francisco, a man who has had a connection with every Fascist agency in this city, a man who has been in constant contact with Mussolini, a man who has spoken of him proudly all the way.

There is the editor of the D'Italia, who wrote a book praising Mussolini, who received all sorts of decorations from Mussolini, who said it would be a mistake to send an expeditionary force, including Italian boys. They are known all over as great patriots while we are going against the little fry.

The Chairman. So you are not worried about Japan. They seem to be winning a good many battles over there.

DOESN'T WANT TO SEE NATION DIVIDED AGAINST ITSELF

Mr. Goldblatt. We are worried about Japan, deeply worried about it. Insofar as we are concerned, we pledge here now that we want every single possible step that can be taken by the Government to be taken and we offer our fullest cooperation to the Government in their efforts to detect espionage and saboteurs, not only among Japanese but among Italians and among Germans, among

Americans, among any source, no matter where it be, no matter what their wealth is, no matter what their political position, or no matter what they happen to know. We are not concerned where a spy came from. We don't care if he came over on the *Mayflower* or came out of the humblest Japanese home; we don't care where he came from. Get him and we will help out. But we don't want to see, in the course of this program, a situation arise where this country will be divided against itself, where one-half the Nation will be standing on guard over the other half.

Where is this to end, Mr. Tolan? Italians will be the next to be evacuated, then the Germans. Why stop with the Germans? According to the present Federal order Hitler could stay in San Francisco in a prohibited area and one of German nationality would have to leave because Hitler is an Austrian. So it will extend to Austrians. It will go to Hungarians, to Bulgarians, to Finns, to Danes. These are countries, many of them, which have declared war on us. Where is the mark to be drawn?

And, Mr. Tolan, if we follow such a procedure we can land in only one place. We will do a perfect job for those who want to sabotage the war effort. We will have the American people at each other's throats. I know mining camps that are split right down the middle between nationalities, where you have a group of Poles at one end of the camp and a group of Germans at the other. You will have them fighting in the streets against each other. You have Italians in the mining camps alongside of Welshmen.

Where is this going to wind up? This country is a nation made up of nationalities. The so-called American is only a product. He came out of a crystal into which has been poured the peoples of all the world. We forget what was written on the Statue of Liberty. I have the words here. I would like to read them.

The CHAIRMAN. I don't think you better. Did you ever intend to run for Congress?

Mr. GOLDBLATT. No; I never intended to run for Congress.

The CHAIRMAN. I think you would make a very dangerous talker the way you are going here today. I think you are wonderful.

Mr. GOLDBLATT. May I make some specific proposals that we have in mind on antisabotage and antiespionage?

The CHAIRMAN. Yes.

Mr. GOLDBLATT. The C. I. O. stands ready and willing to give its full cooperation to the proper Federal agencies in their efforts to detect sabotage and espionage and provide safeguards against these dangers.

I would like to have any questions on that, Mr. Tolan, because we would like to be perfectly clear and not be misunderstood. We realize that I, as representing the State C. I. O., am not taking a popular position. I will be much more popular if I get my wolf's clothing on and join the pack and start hollering for the nearest Japanese scalp, because that is popular.

WHAT IS A REALISTIC ATTITUDE?

Mr. SPARKMAN. Do you think you are taking a realistic attitude?

Mr. GOLDBLATT. I think I am. Let's get this clear. I think the Japanese have to evacuate here. I think there is no choice. But it is not round one for us, by Americanism or by decency or honesty or justice; it is round one for the opposition. All we want of your congressional committee is a recognition that this is a victory won by the opposition and that it cannot be the pattern for the future. Let it be the pattern for the future and you can stop the war against Japan because we will be too busy here fighting among ourselves.

Mr. SPARKMAN. It seems to me you completely disregard the fact that it was the action of the Japanese, both native-born and second-generation Japanese, in Hawaii that very largely caused this present situation.

Mr. GOLDBLATT. Oh, now, let's get this point clear. That may be absolutely true. The only point I am making is that there doesn't happen to be large groups of Italians or Germans or Bulgarians or Finns or Rumanians in the Hawaiian Islands. They haven't settled there. If this pattern is used here it will automatically extend. It won't extend because you and I want it. It will extend because there are forces powerful enough in this country, the America First forces, the Hearst press, people like Dies, people like Hamilton Fish, and his tie-up with Viereck and the rest of them. These forces are strong enough to see to it that this policy extends because that is the one weapon by which they can beat America. They can divide it against itself. That is what we are concerned with because then what will happen? People will be fighting at each other's throats.

Mr. SPARKMAN. Of course, you are entitled to that view but I think that it is not at all a proper view or a correct view. I don't believe that there are such forces in America that are playing for the defeat of America as you have pictured them and I believe that had the Germans or had the Italians pulled upon us the same stunt that the Japanese pulled at Hawaii this country would rightfully be just as indignant toward them, but they have not done such a thing. And I believe, regardless of what our feelings may be with reference to the native-born American citizens, that we need to be realistic about this thing and realize that the situation exists, and then try to see what the best solution is that we can find for it.

Mr. GOLDBLATT. Congressman, may I ask you a question? From the reports of your committee, you have done a very good job and I have the highest esteem for the work that your committee has done—I think it has been splendid—do you, in your opinion, believe that there is a higher percentage of espionage, or rather of spies or saboteurs among the second-generation Japanese than there are, let us say, among the second-generation Germans in Yorkville, N. Y.?

Mr. SPARKMAN. Well, the only thing I can go by is what seems to be the case thus far—we know that we have lost ground so far because of the espionage, the sabotage conducted by the Japanese whom we trusted to a certain extent in Hawaii.

Mr. GOLDBLATT. But that is only because in the particular case that we are speaking of, in the case of Hawaii you had only a single one of those groups to deal with; in this case it was Japanese.

Mr. SPARKMAN. I realize that is true. That is the reason I am arguing that we ought to face the situation realistically.

Mr. GOLDBLATT. You are giving substance to the only argument I am trying to make and that is this: The reason that you think these Japanese ought to be evacuated is because they really knifed us in the back with the help of local residents in Hawaii. Correct? All right. Mussolini and Hitler will arrange to see that we are knifed in the back by some local Italians. Then, people will ask you "Why don't you do the same with Italians and Germans here as you did with the Japanese?" And away we will go and what a merry-go-round that will be because it won't come out any place; it will just bog down.

CONTINUES RECOMMENDATIONS OF LOCAL UNION

We believe the efforts of the Federal Government should not be based on making distinctions by race, nationality, or citizenship. We favor a campaign that will detect sabotage no matter what its source and from which there will be no immunity by virtue of wealth, political connections, or position in society.

We support the inclusion of aliens of enemy nationality from restricted military and strategic areas. We favor the speedy establishment of governmental machinery to provide for fair hearings and examination to expedite the segregation of anti-Facsist from Fascist elements.

Something, I believe, has been mentioned here before on the Japanese question. We recognize that this problem falls within Federal jurisdiction and believe the Federal Government and military authorities should assume full responsibility in providing adequate safeguards for the Japanese, both alien and citizen.

We urge protection of personal property and real property from seizure. It must be the obligation of the Federal Government to prevent land grabbing, raiding of homes or racketeering at the expense of the Japanese and other aliens who are evacuated by military order.

The Government should be responsible for providing humane treatment in the course of evacuation and for the settling of Japanese where they can perform useful work for the Nation. Under no circumstances should families be broken up. This may be accomplished through the establishment of cooperative farms or placing Japanese in various industries. It is most important that Japanese, particularly the second-generation Japanese Americans, be given the fullest opportunity to demonstrate their loyalty to this Nation in the performance of useful work.

No concentration camps or forced labor should be imposed upon Japanese or other aliens. Following their removal from military and strategic areas, tribunals should provide for examination and an opportunity to establish loyalty. Those Japanese who are enemy agents, or where there is reasonable doubt of their loyalty, should be interned and others should be accorded full civil liberties, the right of movement outside restricted areas, and the right to work and perform service to this country.

The same principles apply—I will skip most of them. I should like to mention one point. In cases where aliens of enemy nationality must perform night work arrangements should be made either to switch them to day shifts or, where this is impossible, grant them permits to move to and from work during restricted hours.

We also suggest in the case of certain aliens like Italian fishermen that there be speedy hearings because those men are vital for industry, to determine their loyalty and availability within the community.

DISCRIMINATION AGAINST FRIENDLY ALIENS

One other point we would like to stress before the committee, Mr. Tolan. There has been very widespread discrimination against aliens of friendly nations. We are referring to Norwegians, Chinese, and Latin Americans, in addition to very harsh discrimination against Filipinos, who, although not aliens are also not citizens, they are in this middle zone. These people are actually helping in the war. Lots of them are doing the fighting. We know the percentage of sacrifices they have made. These people are fighting; they are not being given a break in this country.

We urge upon your committee to see to it that these people are given a break and allowed to contribute here locally.

The CHAIRMAN. Thank you, Mr. Goldblatt. We will have your entire statement inserted in the record. If there is anything additional that you want to insert in the record we will be glad to have it.

(The statement referred to above is as follows:)

STATEMENT OF LOUIS GOLDBLATT, SECRETARY-TREASURER OF THE CALIFORNIA STATE INDUSTRIAL UNION COUNCIL, CONGRESS OF INDUSTRIAL ORGANIZATIONS

The attitude of the California State Industrial Union Council on the establishment of restriction governing the movements and work of aliens of enemy nationality stems from the basic policies of the Congress of Industrial Organizations, which is committed to the speedy and successful prosecution of the war. The touchstone of this policy is the belief that democracy can wage an all-out war against the Axis Powers, and that the forces generated by a system of free government can and will triumph over fascism.

As labor-union members we recognize the urgent need for discipline, responsibility, and loyalty by all the people in support of their Government in the conduct of the war. Labor organizations, perhaps more than other civic bodies, know the dangers and inadequacies of individual action in times of crisis. Consequently we support the relegation of matters dealing with sabotage and espionage to the proper Federal agencies. Regulation of Axis aliens is regarded in the same light.

To say there is no danger of fifth-column activity by espionage or sabotage is to ignore criminally one of the most important lessons of this war. The collapse of many of the European countries is attributable in large part to the activities of enemy agents who assisted the Axis Powers by espionage, fifth-column work, and sabotage during the moments of great crisis. There are no facts to indicate this country will be immune to this type of attack.

The California State Industrial Union Council endorses and supports a policy of vigorous precautions against fifth-column activity. We urge a diligent, energetic campaign by Federal and military authorities to ferret out the enemy agents within our boundaries. We pledge our cooperation and assistance to this end.

When the first restriction on movements and work of aliens of enemy nationality were issued, the California Congress of Industrial Organizations officially stated:

"Because we are a democratic, liberty-loving nation, because our labor unions have been the most militant crusaders for the rights of all Americans, citizens and noncitizens, we regret any hardships which the Nation's crisis must inflict on these aliens of Axis extraction and their families. Yet it is for these very reasons that we must support the measures necessary to protect American freedom and what is left of world democracy against the tyrants and butchers of Tokyo, Berlin, and Rome. * * * Firmness must be matched with fairness, vigilance with good sense. The Congress of Industrial Organizations will support all the action necessary for a democratic victory; it will be on guard to see that all these actions actually strengthen democracy and contribute to victory."

We assumed that the exclusion of aliens of enemy nationality from specified military areas was based upon information in the hands of the Government and performed as part of a general program against fifth-column danger. Almost immediately following the initial moves against aliens of enemy nationality came a widespread campaign demanding the removal from coastal areas of all Japanese, whether alien or born in this country. The old flames of racial suspicion were fanned to full blaze. Publicity seekers spouted ill-considered and vigilante-inciting epithets against the Japanese born in this country. The Hearst press found new field for its rantings about the "yellow menace." Politicans saw a good occasion to garner publicity. Soon the wolf pack was in full cry.

POSITION OF SECOND-GENERATION JAPANESE

Let it be said that within this State there was heard but one voice of reason and understanding. It came from second-generation Japanese, some of them members of our unions. They proposed the evacuation of all Japanese, both alien and citizen. Their proposal did not come from agreement with those who were leading the pack. It rose out of a realization that the forces of hysteria and vigilantism had won out over decency and government.

It is well that the Federal Government has stepped into this situation, because the problem is national in scope and because there has been convincing demonstration that State and local authoriites are not qualified to act in this matter. Most of our State and local officials, rather than standing as bastions of justice and equal protection under law, have joined the hue and cry against the Japanese native-born. In the light of these developments no choice remained for the thousands of loyal Americans of Japanese parentage but to agree to general evacuation. To remain was to invite lawlessness and mob violence, to become a source of constant irritation.

As some of these Japanese express it: "We want to leave. Perhaps that is the greatest contribution we can make right now to the war. Maybe people will settle down to fighting the enemy instead of us and go after the real fifth columnists." At this reading these men and their families stand ready to comply with all recommendations and regulations established by the Federal Government. All they ask is fair treatment and a chance to show their loyalty and devotion to our Nation by contributing to and participating in the war effort.

This entire episode of hysteria and mob chant against the native-born Japanese will form a dark page of American history. It may well appear as one of the great victories won by the Axis Powers. Surely it is a battle won by those isolationist and America First Committee forces who have labored since the outbreak of hostilities to convert this into a war against the "yellow menace." They won this round. All of us who failed to speak in time contributed to this victory of the isolationist fifth column in America.

PRESERVATION OF FREEDOM

The words of Woodrow Wilson bear repetition: "Are we preserving freedom in this land of ours, the hope of all the earth? Have we, inheritors of this continent and of the ideals to which the fathers consecrated it, have we maintained them, realizing them, as each generation must, anew? Are we, in the consciousness that the life of man is pledged to higher levels here than elsewhere, striving still to bear aloft the standards of liberty and hope; or, disillusioned and defeated, are we feeling the disgrace of having had a free field in which to do new things and of not having done them?

"The answer must be, I am sure, that we have been in a fair way of failure—tragic failure. And we stand in danger of utter failure yet, except we fulfill speedily the determination we have reached, to deal with the new and subtile tyrannies according to their deserts. Don't deceive yourselves for a moment as to the power of the great interests which now dominate our development. They are so great that it is almost an open question whether the Government of the United States can dominate them or not. Go one step further, make their organized power permanent, and it may be too late to turn back. The roads diverge at the point where we stand."

Yes, the roads diverge at the point where we stand. Shall the persecution and hounding of the Japanese be the mark of our future policy? Shall we follow in the footsteps of Hearst and turn our war effort into an illusory battle against the "yellow menace"? Shall we desert our Allies of the United Nations and desert the cause to which we have dedicated our work and our lives—the obliteration of world fascism? Shall the persecution of minorities rise in place of the standard of democracy?

If our treatment of the Japanese becomes the index of the future, we can readily foresee the course of America. Hitler and Mussolini will not hesitate to sacrifice the Italians and Germans in this country if it suits their policy of total war. New incidents will occur, in which Americans of Italian and German descent are involved. Then the fifth column in America will demand the evacuation of all Germans and Italians.

And this is not the end. What of the other European nations that are cooperating with the Axis Powers, some of which have declared war upon us? Austria, Rumania, Hungary, Finland, Bulgaria, Denmark—right down the list of Fascist satellite states. If we do not call a halt—and call it now—America will be a nation divided against itself. It will be an armed camp with half the population guarding the other half.

AMERICAN UNITY

No matter how great our resources, no matter how strong our manpower, this country of ours can never withstand the pressure of internal conflict arising out of this policy of hunting down saboteurs and spies by race, nationality, or creed.

During a period of hysteria there are always those who think they can save their own skins by joining in the persecution of another minority group. When it comes their turn to be kicked around it is too late to reconsider.

The great need of America is the unity of its people. Much damage has already been done to this unity by such practices as discrimination against Negroes and minority groups, the refusal of officeholders to drop their political bias and work for the general welfare, and the rejection by employers of all offers of labor cooperation. If to these is to be added a policy of demarcation of Americans by race and nationality, national unity will be nothing but a tragically empty phrase.

The American emerged from a crucible into which had been poured people from all nations of the world. We are a nation of nationalities. Our system of government rests upon the civil liberties and freedom of all races, creeds, and colors within our boundaries. Out of the unity of these people has sprung our system of government. The inscription on the Statue of Liberty is as much a part of our American tradition as the Constitution and the Bill of Rights:

"Give me your tired, your poor,
Your huddled masses, yearning to breathe free,
The wretched refuse of your teeming shore:
Send these, the homeless, tempest-tossed, to me:
I lift the lamp beside the golden door."

We think it is a sacred obligation of all governmental officials whether city, State, or Federal, together with all right-thinking people, to join in a Nation-wide effort to put an end to this growing tide of hysteria against our foreign-born and the descendants of foreign-born.

If this is not done the consequences that will accrue are now visible in outline.

First, a growing campaign to sidetrack the war effort of this Nation from an all-out fight against fascism, whether it be the Berlin, Rome, or Tokyo brand, to a war against the so-called yellow menace. If this effort of the Hearst press and fifth columnists is successful, America will fall prey to the well-known policy of Fascist nations. Divide the anti-Fascists of the world and pick them off one by one. America will then either fall in turn or be forced to deal with the Nazis on their own terms. This may be part of the negotiated peace plans of America First and Hearst, but it is not part of the pattern of life of the American people or their Government.

Second, if this campaign against racial and national minorities continues, the people of America will be thrown off guard in their fight against the espionage and sabotage conducted by many other groups. They will be given the impression that security lies in the evacuation of the Japanese and thereby fall prey to the activities of other dangerous elements. Time may well show that among those who yell most loudly for the evacuation and hounding of the Japanese are fifth-column elements who are quietly going about their work under the smoke screen of protective hysteria.

Third, discrimination against races and nationalities will ultimately end in race riots, national antagonisms, bitterness, and hatred. An ill-considered policy will convert loyal Americans into fifth columnists. The Nation will be divided against itself and exhausted in internal wrangling.

We make the following recommendations:

ANTISABOTAGE AND ANTIESPIONAGE

1. The Congress of Industrial Organizations stands ready and willing to give its full cooperation to the proper Federal agencies in their efforts to detect sabotage and espionage and provide safeguards against these dangers.

2. We believe the efforts of the Federal Government should not be based on making distinctions by race, nationality, or citizenship. We factor a campaign that will detect sabotage no matter what its source and from which there will be no immunity by virtue of wealth, political connections, or position in society.

3. We support the exclusion of aliens of enemy nationality from restricted military and strategic areas. We favor the speedy establishment of governmental machinery to provide for fair hearings and examination to expedite the segregation of anti-Fascist from Fascist elements.

THE JAPANESE QUESTION

1. We recognize this problem falls within Federal jurisdiction and believe the Federal Government and military authorities should assume full responsibility in providing adequate safeguards for the Japanese, both alien and citizen.

2. We urge protection of personal property and real property from seizure. It must be the obligation of the Federal Government to prevent land grabbing, raiding of homes, or racketeering at the expense of the Japanese and other aliens who are evacuated by military order.

3. The Government should be responsible for providing humane treatment in the course of evacuation and for the settling of Japanese where they can perform useful work for the Nation. Under no circumstances should families be broken up. This may be accomplished through the establishment of cooperative farms or placing Japanese in various industries. It is most important that Japanese particularly the second-generation Japanese-Americans, be given the fullest opportunity to demonstrate their loyalty to this Nation in the performance of useful work.

4. No concentration camps or forced labor should be imposed upon Japanese or other aliens. Following their removal from military and strategic areas, tribunals should provide for examination and an opportunity to establish loyalty. Those Japanese who are enemy agents, or where there is reasonable doubt of their loyalty, should be interned and others should be accorded full civil liberties, the right of movement outside restricted areas, and the right to work and perform service to this country.

5. The Federal Government should assume the obligation of fair treatment and protection against vigilantism for the Japanese aliens and citizens following their evacuation and resettlement in other parts of the country.

OTHER ALIENS OF ENEMY NATIONALITY

1. The same principles governing evacuation cited above should be applied.

2. After the evacuation, hearings should be provided so that those who can demonstrate loyalty and good citizenship may return to their present employment.

3. In cases of specific groups, such as fishermen, where evacuation will cause severe dislocation in a vital industry, provision should be made for immediate hearings, so that those who can demonstrate their reliability can continue to work.

4. In cases where aliens of enemy nationality must perform night work, arrangements should be made either to switch them to day shifts or, where this is impossible, grant them permits to move to and from work during restricted hours.

5. Consideration should be given to special treatment of hardship cases among aliens of enemy nationality, which will permit invalids or aged and infirm persons to live with members of their immediate families who are American citizens, even though such residence be in a restricted area.

ALIENS OF FRIENDLY NATIONALITY

Discrimination against aliens of friendly nations, such as Norwegians, Chinese, Latin Americans, etc., should be ended at once. They should be given full work opportunities in all industries.

The CHAIRMAN. We will take a 5-minute recess. (A short recess was taken.)

The CHAIRMAN. The committee will please come to order.

Mr. Thompson is the next witness. Step right up, Mr. Thompson.

TESTIMONY OF J. MURRAY THOMPSON, CHIEF, ECONOMIC SECTION, WESTERN DIVISION, AGRICULTURAL ADJUSTMENT ADMINISTRATION, UNITED STATES DEPARTMENT OF AGRICULTURE, SAN FRANCISCO, CALIF.

Mr. ARNOLD. You are Mr. Murray Thompson, representative of the Department of Agriculture?

Mr. THOMPSON. That is right.

Mr. ARNOLD. You have been designated by the Department on the West coast to deal with the problems of enemy aliens in agriculture since some time late in January?

Mr. THOMPSON. That is right.

Mr. ARNOLD. We have a few questions here, Mr. Thompson. Would you please detail for the committee what your activities have been and what your responsibilities and functions are on the West coast?

EFFECT ON AGRICULTURE OF DELAY IN EVACUATION PLANS

Mr. THOMPSON. Well, I came out here early in January with two representatives of the Treasury Department to survey this situation. After a week we returned to Washington and reported considerable uncertainty in agricultural areas as to whether they should go ahead with their production or not. There was a certain amount of fear, on the part of the public, from sabotage, and we recommended that as soon as possible very definite plans be made for any evacuations that might be needed. From the agricultural point of view we explained that the sooner these were made and the more carefully they were worked out the more production we would have for our "food for freedom" program.

Mr. ARNOLD. In other words, it is very essential that these decisions be made as early as possible in order that arrangements for planting may go ahead before the season is advanced too far?

Mr. THOMPSON. That is right. Of course, we wish to point out that the military reasons are the sole reasons for determining any areas to be designated and are the primary reasons to consider in picking the locations to which they should go. But whatever is done will have some effect on agricultural production. We are just trying to hold ourselves in readiness to do whatever we can to assist the Army and the Department of Justice and Social Security and the farmers so that we will have as much production, particularly vegetable production, as possible in 1942.

Mr. ARNOLD. Does your Department of Agriculture have any plans for resettling evacuees?

Mr. THOMPSON. No; we have discussed it somewhat with General DeWitt.

Mr. ARNOLD. You are cooperating in the matter?

Mr. Thompson. Yes, and also with Mr. Clark. But we have no definite plans because we feel under the orders that have been given it is not quite our job to make those arrangements.

Mr. Arnold. Are you with the Farm Security Administration?

Mr. Thompson. No, sir. Of course, we have no enemy alien units in the Department of Agriculture. My regular work is in the A. A. A.

Mr. Arnold. Well, what function will the Farm Security Administration play in the evacuation of these people?

Mr. Thompson. Well, they have indicated that they want to do everything they can to help us. As your committee knows, these mobile farm labor camps are very important in the ordinary course of our agricultural production. It is hoped that they may continue their normal use, if possible, but they will do anything that they can to help.

Mr. Arnold. Have you been in conversation with or made any arrangements with the Federal Security agencies or the W. P. A. on how evacuation should take place?

Mr. Thompson. No. We have discussed it informally and offered our services to assist in locating any areas that might be suitable for agriculture and to also furnish information regarding the needs for agricultural labor in various areas.

Mr. Arnold. With what agricultural groups have you worked most closely since you have been on the coast and in what areas?

Mr. Thompson. Well, of course, I have worked most closely with the California Agricultural War Board which is made up of representatives of the Department of Agriculture from the various agencies. I have worked with some of the county war boards and some individual farmers.

Mr. Arnold. What plans have been made for the use of the evacuees in the agriculture of California? Was there any plan made to put them in other areas?

Mr. Thompson. Well, there again we feel all we can do is discuss it until the Secretary of War makes his next decision.

Mr. Arnold. I guess you could answer these questions better a week from now than you could today?

Mr. Thompson. That is right.

Mr. Arnold. Do you expect that housing will have to be provided for evacuees?

Mr. Thompson. That, of course, depends upon the number. Under the present number that have been evacuated there have been no difficulties, but if we start talking in terms of 20,000 and above, I think we will have to furnish some housing.

DESIRABLE WAGE POLICIES

Mr. Arnold. What wage policy does the Department believe will be desirable in the employment of evacuees?

Mr. Thompson. If we should set up some camps, say, in some interior points and permit these people to hire out as agricultural wage earners we believe that they should be paid the going wage. It might be possible to use a part of that wage for their keep and care, thereby decreasing the expense to the Government.

Mr. ARNOLD. What has been the response of agricultural employers in California to the proposal that evacuees be used in California agriculture?

Mr. THOMPSON. It has been a very mixed response. Some groups don't want any of them around, and other individuals have been a very desirous of keeping their present labor and have indicated that they could use more if they were under proper supervision so as to avoid any possibility of sabotage and so as to convince the public that it was safe to have them in their area.

Mr. ARNOLD. What groups of agriculture in the State have been especially cooperative?

Mr. THOMPSON. They have all cooperated as citizens in their desire to keep the country safe in a military way.

Mr. ARNOLD. Well, one more question, and you might want to enlarge on it.

What provision has the Department made in order that the lands previously operated by Japanese will be continued in production this year if their owners or operators are evacuated?

AGRICULTURAL WAR BOARDS

Mr. THOMPSON. We have in each county an agricultural war board which will consider this problem whenever the number of evacuees in that county is sufficient to require any special attention. If necessary, we will assign certain people to that work as a full-time proposition in order to help others farm the land and learn how to grow the crops and help others find labor when they need it. We have certain labor committees in each county also that are set up for that purpose.

Mr. ARNOLD. Do you anticipate that sufficient labor can be had to replace a large number of evacuees?

Mr. THOMPSON. Well, we anticipate a shortage of agricultural labor in California this coming summer.

Mr. ARNOLD. That is all I have.

The CHAIRMAN. Dr. Lamb?

Dr. LAMB. Mr. Thompson, I would like to ask you about two things which you said.

The first is on your statement about paying part of this money for their keep. Do you contemplate that these evacuees will be wards of the Federal Government?

Mr. THOMPSON. Well, that all depends on what happens. That was just one possibility.

Dr. LAMB. And what do you mean by the use of the word "supervision"?

SUPERVISION OF EVACUEES

Mr. THOMPSON. Well, I believe that in most areas if any large groups are evacuated the people in that area are going to expect supervision of these people of some nature so that they will feel that it is safe to have them in that area, and they will feel also that the people who have been evacuated to that area will be safe.

Dr. LAMB. If the President's Executive order means what it seems to, these évacuées will include citizens. Do you contemplate that the supervision will be military?

Mr. THOMPSON. That is up to the Secretary of War.

Dr. LAMB. What do the farmers in these areas seem to want?

Mr. THOMPSON. Well, 6 weeks or 2 months ago this supervision might not have had to be too formal, but now there are certain areas, I believe, that would take very obvious supervision to convince the people.

Dr. LAMB. In your opinion, would it be a good idea to have the evacuees located in those areas where such supervision would be necessary?

Mr. THOMPSON. Well, that is a good question. From our point of view we would like—if it is safe from the military point of view—to see some productive work obtained from these people.

Dr. LAMB. Wouldn't it be better to have other workers perform the labor in those areas rather than to subject the area to the atmosphere of tension that you imply?

Mr. THOMPSON. Well, that depends upon the supervision. I haven't outlined in detail as to how much tension there would be.

Dr. LAMB. There would be quite a lot?

Mr. THOMPSON. If you take a lot of these people in any of these areas there is going to be tension whether there is supervision or not. I think there would be less tension if there is supervision.

JAPANESE AGRICULTURAL WORKERS

Dr. LAMB. But you are in favor of the location of agricultural workers.

Have you any estimates of what proportion of the Japanese population are experienced in agriculture?

Mr. THOMPSON. Oh, roughly a third in this State.

Dr. LAMB. About a third?

Mr. THOMPSON. I mean that a third of the population of Japanese in the State live on farms.

Dr. LAMB. Yes, so that for the two-thirds who would be evacuated from nonfarm areas you would advocate locating in farm areas, working as agricultural workers under supervision?

Mr. THOMPSON. Well, if it is possible to draw such fine distinctions. Of course, the agricultural people who are experienced in agriculture would be much better as agricultural workers.

Dr. LAMB. Well, I am only drawing the fine distinction, for example, with reference to the possible labor supply which these people represent.

Mr. THOMPSON. That is right.

Dr. LAMB. Would they be more profitable as workers in agriculture if they were hitherto experienced in agriculture or would they be more valuable if they were used in some other capacity?

Mr. THOMPSON. You are talking about the ones who have had no experience in agriculture?

Dr. LAMB. Yes.

Mr. THOMPSON. I couldn't answer as to where their service would be most valuable. They would certainly not be nearly as valuable to agriculture as those who have had experience in agriculture.

Dr. LAMB. I asked because there seems to be a disposition in some quarters to find the logical solution for evacuation in the location of agricultural camps under military supervision, and all the workers who are evacuated, whether they have had previous experience in agriculture or not, would be put into such camps.

I wondered if that would be your view?

Mr. THOMPSON. There would be some problems if you tried to make everybody, regardless of his experience, become an agricultural worker.

Dr. LAMB. That is all.

Mr. THOMPSON. I offer this document in evidence.

(The statement referred to is as follows:)

STATEMENT BY J. MURRAY THOMPSON, CHIEF, ECONOMIC SECTION, WESTERN DIVISION, AGRICULTURAL ADJUSTMENT ADMINISTRATION, SAN FRANCSICO, CALIF.

THE AGRICULTURAL ASPECTS OF THE EVACUATION OF ENEMY ALIENS

Representatives of the Department of Agriculture have offered their assistance to Army and Justice Department authorities in this evacuation problem on the Pacific coast because of our interest in a large production of food, however, it is evident without saying that military factors should be the sole basis for the determination of areas to be evacuated and the primary consideration in the choice of places in which the evacuees are permitted to locate. The "food for freedom" program of the Department of Agriculture is attempting to reach large 1942 production goals of the many crops that are vital to the conduct of this war. Vegetables or truck crops are among the important items in this production program and California produces far more than any other State. The enemy aliens and Japanese-American citizens have been an important factor in California vegetable production. However, we in agriculture will strive to maintain as much production as possible even though, for military reasons, a large number of these people are moved from the areas of their normal farming operations.

In this connection it should be emphasized that the earlier the Secretary of War, and others that may assist him, complete the arrangements for the necessary evacuations, the more vegetables will be grown in 1942. In many areas California farmers are now engaged in farming operations in preparation for and production of this year's vegetable crops. Large operators, both American and Japanese, who depend upon Japanese labor, and Japanese operators who use family labor are hesitating to proceed with normal farming operations because of the fear that they may not be able to harvest their crops. The prospective over-all labor shortage in California will, no doubt, also cause some farmers to switch from vegetables and other crops requiring large amounts of labor to those with smaller labor requirements. If a large number of Japanese are removed from vegetable production, some farmers, if they have access to enough "stoop" labor, will attempt to grow more vegetables in the expectation of a higher return, and at the same time assist in meeting the vegetable production goals. The Department of Agriculture will, of course, assist these farmers.

This assistance will be furnished by our agricultural war boards made up of representatives of the various agencies of the Department in each State and county. If necessary, we are prepared to take additional steps in order to keep farm land from remaining idle. This work will include aid to farmers looking for land or labor and also advice to alien property custodians in their efforts to properly handle the farm land and equipment formerly controlled by enemy aliens.

Because of the many remaining uncertainties, it is impossible to estimate the amount of loss of vegetable acreage or production that will result from the evacuation of enemy aliens and Japanese-American citizens from various areas in California; however, some indication of the problem may be gained by a knowledge of the essential figures involved. In 1941, California-grown truck crops for fresh market had a value of $85,000,000, or 32 percent of the total for the country, and for the same year California truck crops for processing had a value of $14,000,000, or 15 percent of the United States total. The value per acre of truck crops in California far exceeds that for the other States; in terms of acres alone, California had only 13 percent of the United States 1941 truck-crop acreage for market and 9 percent of the acreage for processing. After a review, crop by crop and county by county, with the Federal-State statistician and others, it has been estimated that enemy aliens and Japanese-American citizens produced about 200,000 acres of vegetables in 1940, or about 40 percent of the California vegetable acreage. In some commodities, such as snap beans, cauliflower, celery, peppers, spinach, strawberries, and tomatoes, these groups farm over 50 percent of the State acreage. It appears most likely that the removal of these people from their farms in the near future will cause a material reduction in the acreage of certain crops requiring special care and unusual amounts of hand labor, such as celery, peppers, spinach, and strawberries. It is obvious that interference with the production of such items should not be allowed to influence the decision as to the necessity for evacuation or removal of any persons for military reasons.

In order to avoid confusion and minimize the loss of productive effort, it is desirable that the supervision and location of all people moved be carefully planned. If military safety permits, we should attempt to avoid the loss of the agricultural labor of these enemy aliens and any citizens who may be moved. It has been suggested that many of them could be resettled on land at some interior points under military or police supervision. A careful survey might locate certain areas with soil and other facilities suitable for vegetable production, but it may be that such agricultural areas cannot be located in which large groups could be resettled quickly. A more practical solution might consist in the location of those with agricultural experience in camps in areas that would be safe from a military standpoint, but would be accessible to areas requiring agricultural labor, particularly "stoop" labor. These evacuees could, under proper supervision, be hired in groups at the going wage. They could migrate at various seasons in accordance with the labor needs of the different areas, again under the necessary supervision and control. By furnishing this labor in militarily safe areas, they might free some Filipino and Mexican labor for farms located in the more strategic military areas. A part of the earnings of these evacuees could be applied to the cost of the camps and thus decrease the expense to the Government.

In summarizing, we in agriculture wish to emphasize strongly that after consideration of the need for military safety and the prevention of sabotage, it is highly desirable that early and definite plans and procedures be developed for the prospective evacuation, so that a minimum of confusion, unused labor, and loss of production will occur.

The CHAIRMAN. Thank you very much, Mr. Thompson. We appreciate your coming here.

Dr. Reagor, Mr. Fisher, Reverend Chapman, Reverend Smith, Mr. James.

Will you introduce yourselves for the convenience of the reporter?

Reverend CHAPMAN. Gordon K. Chapman, in charge of the Presbyterian Japanese work on the Pacific coast.

Mr. FISHER. Galen M. Fisher, adviser to the Institute of Pacific Relations and secretary of the Committee on National Security and Fair Play.

Reverend SMITH. Frank Herron Smith, in charge of the Methodist Japanese missions west of the Mississippi River.

Dr. REAGOR. W. P. Reagor, pastor of the First Christian Church of Oakland and president of the California Council of Churches.

Mr. JAMES. William C. James, businessman from Berkeley, also clerk of the religious Society of Friends of Berkeley.

The CHAIRMAN. Dr. Reagor, I think we will hear you first.

TESTIMONY OF DR. W. P. REAGOR, PASTOR, FIRST CHRISTIAN CHURCH OF OAKLAND, AND PRESIDENT, CALIFORNIA COUNCIL OF CHURCHES, OAKLAND, CALIF.

Dr. REAGOR. I have prepared my statement, Mr. Tolan. With your permission I will read it.

The CHAIRMAN. Proceed.

Dr. Reagor [reading]: As Christians and as Americans, we are gratefully pleased at the treatment which has been accorded to the enemy aliens up to date. The F. B. I. has been thorough and painstaking in investigations, but it has been uniformly gentlemanly in its conduct. We have not heard of a single case of roughness. We have been constantly represented at the Silver Avenue Immigration Station. The treatment there has been generous and considerate. One of our ministers spent 5 days at the Missoula camp. In spite of the fact that there are 1,000 Italians and 650 Japanese within rather narrow confines, the morale is excellent.

The Chairman (interrupting). Right there, Doctor, Missoula, Mont.?

Dr. Reagor. Yes.

The management seems to be wise, practical, and kindly. We believe no other nation today furnishes more boards of hearings to assist aliens. Our boards are made up of our best citizens, who are freely giving their time to these investigations that none may be unjustly nor unnecessarily detained. The representatives from the Social Security Board are located in every section where aliens must be evacuated. They, too, have proven to be capable, sympathetic, and constant in their endeavor to assist those who must move. We are grateful for the way in which America has been managing these difficult problems.

SELECTIVE EVACUATION

We believe that the method of selective evacuation ought to be continued under properly constituted authority rather than the acceptance of the policy of mass evacuation which has been proposed, and for the following reasons:

First, the primary objective is that of the defense of our country from attack from within. Most certainly there is a danger. There are enemies within our gates. And we believe that properly constituted authorities, particularly the F. B. I., are capable of handling this problem, for most certainly it does represent a minority of aliens who are involved, and that no such severe measure as mass evacuation is necessary to protect our Nation from the dangers within.

Second, there is another objective which is before us. We need to think not only of the protection of our country, but of building a spirit of friendship and good will toward our Nation for the sake of the future. There are undoubtedly large numbers of Japanese, both aliens and American citizens, who are loyal to this country and who deeply deplore the tragedy of our conflict. Undoubtedly, most of our Japanese Christians are to be placed in this category. [Reading ends.]

DECLARATION OF LOYALTY

I would like to present this statement here now. It is a declaration recently made by a group of Japanese Christians and signed by 1,400. I would like to read that statement, Mr. Tolan. I think it is very significant. I have here approximately 1,400 signatures to this statement which have been gathered from Japanese Christian churches in northern California. These are all aliens, by the way. [Reading:]

> We, the undersigned, subjects of Japan, do hereby solemnly declare that we shall do nothing whatever either to aid the belligerent activities of Japan against

the United States, or to impede the military and other activities of the United States and the State of California.

We further declare our deep appreciation of the security, justice, and freedom of faith and life vouchsafed to us by the laws and authorities of this Nation and State.

There are 1,400 of these signatures here.

To continue, it would seem to be a policy of wise statesmanship to seek to preserve large bodies of friendly support, not only for the present, but for the future as well. We can do that by refraining from the policy of indiscriminate mass evacuation.

Third, I do not see how the Japanese could well be evacuated without taking the Germans and the Italians. It has been reported that the most dangerous individuals so far to be discovered are not Japanese. It would seem to be an impossibility to move the nationals of these three countries. If the Japanese alone are removed, the unfavorable reaction in the Orient would be tremendous. Several thousand Americans are in Japanese control in the Far East and would be subject to reprisal. We would seem to the Japanese to be doing what Germany does to the Jews and to the other European peoples.

Fourth, evacuating indiscriminately citizen Japanese would greatly shake their faith in America. We find almost all of these second generation young people, and particularly the Christian group pathetically anxious to serve America and help us win this war. They have no use and no sympathy for European dictators, nor for the military party of Japan. Would it not be the part of wisdom in America to help develop this spirit, and to build in their hearts now a deeper loyalty for this country?

Finally, we pledge the Protestant churches of the State of California the utmost cooperation to the national committee and to all of the forces in authority in the solution of this problem. We realize that it is pressing and important. Our only anxiety is that it shall be conducted in a true American spirit, thus seeking not only to defend this country, but to protect likewise, and to defend the things for which we stand, even in the midst of war.

The CHAIRMAN. Well, thank you, Doctor.

TESTIMONY OF GALEN M. FISHER, ADVISER TO THE INSTITUTE OF PACIFIC RELATIONS AND SECRETARY TO THE COMMITTEE ON NATIONAL SECURITY AND FAIR PLAY, 260 CALIFORNIA STREET, SAN FRANCISCO, CALIF.

The CHAIRMAN. Mr. Fisher, I notice in your statement that no satisfactory plan for settling evacuees in large numbers has yet been made.

Has your organization any suggestions for settling or supervising evacuees?

Mr. FISHER. One of the plans that has come to my attention is that made by a number of graduates in agriculture—Japanese-American citizens—which is entitled "Cooperative Farm Project for Alien Resettlement." It has been submitted to a number of the agricultural authorities, both Federal and State, as well as to other authorities, and has met with their invariable approval. I will not here recount its details.

The CHAIRMAN. Yes. Well, I would like to have you give it to the reporter, though, and mark it as an exhibit. Can you leave it with us?

Mr. FISHER. I will, yes.[1]

INSTITUTE OF PACIFIC RELATIONS

The CHAIRMAN. You belong to the Institute of Pacific Relations?

Mr. FISHER. Yes.

The CHAIRMAN. What is that?

Mr. FISHER. That is an international body comprising 11 national groups—Great Britain, Canada, United States, China, Japan, the Philippines, Australia, New Zealand, and, now inactively, France, the Netherlands and Russia.

The CHAIRMAN. Yes.

Mr. FISHER. Those 11 groups have maintained for the last 17 years, under the lead of President Wilbur, of Stanford University, who is now the international chairman, a series of studies and conferences, which have had very wide circulation and use by publicists, journalists, educators, and social leaders. The Pacific area and its economic, political, and social problems constitute the field of study.

The CHAIRMAN. Yes.

Mr. FISHER. I am not speaking for that body today, Mr. Chairman.

The CHAIRMAN. No, I know, but you are connected. I notice from your statement that you do not think that many of the Japanese evacuees will be suited for farm work.

Mr. FISHER. I said that a considerable minority would not be because they are residents of the cities. I should guess that about one-half of the Japanese city dwellers, and that means about one-fourth of the total Japanese population in the State, would not be well suited to agriculture.

The CHAIRMAN. Do you care to express any opinion as to the public feeling at the present time against enemy aliens?

Mr. FISHER. I think that a large part of it has been whipped up by interested parties who are not thinking primarily of the national security and winning the war but are thinking of group interests or individual interests. On the other hand, I would not impugn the sincerity of a number of others who believe that only by large mass evacuation can the State and the Nation be protected, but I think that a great many have not thought it through. As Mr. Neustadt and others have testified, and as Mr. Clark and others have implied today, it is practically impossible to resettle such large populations as, say 90,000 Japanese and the 200,000 and more Germans and Italians, supposing they were embraced in the same plan.

The CHAIRMAN. Now, you have a statement, haven't you?

Mr. FISHER. I have.

The CHAIRMAN. It will be inserted in the record in full.

Mr. FISHER. I offer the document in evidence.

(Statement referred to above is as follows:)

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[1] See p. 11097.

STATEMENT OF GALEN M. FISHER, ADVISOR TO THE INSTITUTE OF PACIFIC RELATIONS AND SECRETARY TO THE COMMITTEE ON NATIONAL SECURITY AND FAIR PLAY, SAN FRANCISCO, CALIF.

I. Basic Position

I fully accept as our paramount aim: Win the war—maintain national security. Therefore, I approve any measures for control of either aliens or citizens that may be required to achieve these ends, in line with the President's proclamation of February 20.

But I am convinced that the sweeping evacuation of Japanese residents, whether aliens or citizens, would hinder, not help, the attainment of these ends. Removal of persons of any race or nationality should be confined to such as special investigation shows to be dangerous or decidedly suspicious. Identification cards, fingerprinting and photographs are all desirable.

II. Some Reasons for the Foregoing Position

1. The huge numbers involved make sweeping evacuation impracticable. Mr. Neustadt's testimony seemed to me to imply this. There are in California over 90,000 Japanese residents alone, not to mention the much larger numbers of Germans and Italians.

2. No definite plans have been made by any Government department for settling or supervising large numbers of evacuees. The most specific plan I have heard of is that proposed by several Japanese-American citizens, graduates in agriculture, for establishing farm cooperatives, but that would require huge Government loans to accommodate the 50,000 rural Japanese resident population, and would not care for the many city dwellers who are unsuited to agriculture.

3. Some two-thirds—over 60,000—of the Japanese in California are American citizens. Very few of them are dangerous, if we may judge by the fact that during December only 2 or 3 of them were detained by the Federal Bureau of Investigation, and I have not heard of many more being detained since them. Evidently, the few who are found to be dangerous can be interned, without disturbing the large majority.

4. Several thousand citizens of Japanese parentage are serving in our armed forces. Keeping their morale high is desirable for military efficiency; but to evacuate their families, or even their alien parents alone, would impair their morale and breed disaffection among the whole body of Japanese-American citizens.

5. Any organized and extensive fifth-column activity by residents of Japanese stock would presumably have to be led by experienced alien Japanese. Most of the natural leaders have already been detained, and others can be, without evacuating the thousands of rank and file Japanese.

6. Harsh treatment of the Japanese residents will give the military rulers of Japan the finest sort of propaganda to support their claim to be "the protectors and deliverers of the colored races of Asia from the arrogant and race-biased white nations." The Nazis have already made much of our maltreatment of the Negro. If we violate in any degree the equal rights of our fellow citizens of Japanese stock, we mock our pretensions of fighting to defend democracy.

7. Since we are confident of winning the war, the Japanese residents are a possible menace to our national security only during the war. Upon the coming of peace, we shall presumably wish them to continue as heretofore to take their place in our general life. If, however, we isolate them and give them cause to resent unnecessary discriminations imposed during the war, then they will not fit smoothly into our national life, but will present another acute race problem.

8. Our citizens of Japanese parentage are just as trustworthy now as they were a few weeks ago when Governor Olson and other publicists paid tribute to their loyalty and civic devotion. Has the set-back given to the Allied arms by the military machine of Japan made our political leaders in State, county, and municipality play the bully and turn against our Japanese citizens as scapegoats for the remote culprits, in Japan, whom our Japanese-American citizens have repeatedly denounced? Like many other Americans who have long known hundreds of Japanese, I would testify that among their most marked traits are loyalty and gratitude. I strongly believe that the Nisei citizens will, with few exceptions, be as loyal to the United States as any other group of citizens. The exceptions are likely to be found chiefly among the Kibei, or American-born Japanese who

are sent to Japan for their schooling, especially those who go before they have finished grammar and high school here. The Kibei, however, are reliably estimated to number less than a quarter of the total of the Nisei.

9. In connection with the whole question of citizens of Japanese stock, I wish to testify to the great service to our Nation already rendered by the Japanese-American Citizens' League. It is the only inclusive organization touching the Nisei and it can be of great value in maintaining their undivided loyalty to the United States.

10. Little evidence pointing to fifth-column activity seems yet to have been discovered by the Federal Bureau of Investigation or the naval and military intelligence, although they have been hunting hard to find it. A high military authority recently told me that he took no stock in the alarmist predictions that fifth-columnists in California were only waiting for the ides of March. I hope that our intelligence services will not relax for a moment their vigilance, but I also hope that a panicky public will not try to stampede our military and judicial authorities into evacuating thousands or tens of thousands of people, in order to avert a possible danger than can probably be averted by evacuating a few hundreds. In all the clamor about the Japanese residents, it may be that we are overlooking a greater menace in the form of the Nazi partisans in our midst. The Japanese spies and saboteurs can be much more easily spotted because of their color and physiognomy than can Nazi or Italian plotters.

Galen M. Fisher is a native of Oakland, Calif., a brother of Ralph T. Fisher, of the American Trust Co. He is adviser to the Institute of Pacific Relations, of which President Ray Lyman Wilbur is chairman, and President Robert G. Sproul is a vice chairman; research associate in the department of political science in the University of California; secretary of the Committee on National Security and Fair Play, of which Dr. Henry F. Grady (president of American President Lines) is chairman, and among the vice chairmen are Gen. David P. Barrows, Alfred J. Lundberg, F. J. Koster, Maurice Harrison, and Presidents Sproul and Wilbur; formerly, executive secretary for 12 years of the Rockefeller Institute of Social and Religious Research, New York, and before that, for 21 years senior secretary in Japan of the international committee of the Y. M. C. A.

EXHIBIT A.—PRESS RELEASE BY NORTHERN CALIFORNIA COMMITTEE ON FAIR PLAY FOR CITIZENS AND ALIENS OF JAPANESE ANCESTRY, DECEMBER 29, 1941

Gov. Culbert L. Olson, honorary chairman; Gen. David P. Barrows, chairman; Frederick J. Koster, Alfred J. Lundberg, Joseph S. Thompson, Monroe E. Deutsch, J. Hugh Jackson, Aurelia Henry Reinhardt, Robert Gordon Sproul, Ray Lyman Wilbur, Frank S. Gaines, Richard R. Perkins, James K. Fisk, George G. Kidwell, George Wilson, Mrs. Wallace Alexander, Mrs. Robert McWilliams, Mrs. Duncan Robinson, Mrs. Agnes Morley Cleaveland, Karl Morgan Block, Benjamin W. Black, Chauncey Leake, Chester H. Rowell, Arthur Cushman McGiffert, Irving S. Reichert, J. S. Curran, Ralph T. Fisher, C. C. Young, Gerald H. Hagar, vice chairman; Galen M. Fisher, secretary of committee.

RESIDENT JAPANESE SINCE OUTBREAK OF WAR WITH JAPAN

The central objective of our Committee on Fair Play has been supported by the California public, even under the stress of Japan's treacherous attack. Californians have kept their heads. There have been few if any serious denials of civil rights to either aliens or citizens of Japanese race, on account of the war. The American tradition of fair play has been observed.

We also have three other reasons for satisfaction:

1. All the organs of public influence and information—press, pulpit, school, welfare agencies, radio, and cinema—have discouraged mob violence and have pleaded for tolerance and justice for all law-abiding residents of whatever race. Governor Olson and Attorney General Biddle have issued proclamations to the same end.

2. Federal and local officials charged with maintaining order and suppressing subversive activities have shown both vigor and sympathetic consideration in the fulfillment of their duty.

3. Private civic agencies have acted promptly to handle the many difficulties encountered by Japanese residents on account of necessary wartime restrictions

on persons and property, and also to interpret to the public and to the aliens affected the sometimes sweeping and technical Government regulations.

College students of Japanese ancestry, anxious to return to distant homes at the close of the semester, were confronted by restrictions on travel and funds. The International House in Berkeley quickly led the way in overcoming these obstacles. The immigrant and family welfare agencies associated with the community chest in San Francisco grappled with the problems of other Japanese. The Council of Social Agencies in Berkeley appointed a special committee, and Oakland Community Chest designated the International Institute to act in the same capacity. In all these groups officers and members of the Committee on Fair Play took an active part.

We now urge that members of the Committee on Fair Play, who live in other northern California cities having numbers of Japanese residents, bring about the formation of similar committees of consultation, or make sure that existing agencies are meeting the need. The function of such committees is twofold: To give counsel and relief to the Japanese residents at a time when many of the Japanese-language papers on which they have depended for information have been suppressed; and to utilize all local channels of publicity to make known the following authentic information:

1. All law-abiding aliens who have lived in the United States continuously since June 17, 1940 may transact financial and other business as before the war and any citizen is free to employ them or deal with them.

2. Needy aliens are entitled to assistance from county relief funds on the same basis as are citizens.

3. Unemployed aliens and naturalized citizens may register with the State employment department. Those who have paid into the unemployment insurance fund are eligible for unemployment benefits.

4. Enemy aliens are prohibited from traveling in public carriers and from changing their abode, but they may travel reasonable distances in private automobiles. They may not possess firearms, cameras, short-wave sets, or explosives.

5. About 150 Japanese nationals in northern California have been detained for investigation by the Department of Justice. Many of them have been sent to Missoula, Mont., for lack of adequate accommodations in San Francisco. Civilian boards to conduct hearings and make recommendations have been appointed by the Department of Justice. Each person detained may call one witness, but no attorney, to testify in his behalf. Final decision as to internment is to be made by the Department in Washington. Only one citizen of Japanese stock has been detained by the Federal Bureau of Investigation in California, and he was released after a few days. Cases of subversive or suspicious activity by Japanese or anyone else should, of course, continue to be reported to the proper authorities.

6. American citizens of Japanese stock enjoy the same rights as any other citizen, but on account of the difficulty of differentiating between them and alien Japanese, public carriers and other parties, may when necessary, ask for the presentation of a birth certificate, to prove citizenship by virtue of birth in the United States.

7. Speakers connected with the councils of civilian defense, ministers of religion, and radio commentators are urging fair play and protection of Japanese residents in the enjoyment of their legal rights, both as a demonstration of the American way and as a contribution to national morale.

8. The Japanese-American Citizens League, consisting of some 8,000 citizens of Japanese ancestry, has made repeated pronouncements of loyalty to the United States and of opposition to the aggressive policies of Japan. Furthermore, several bodies of long-resident first-generation Japanese aliens have made similar declarations. Many such Japanese have encouraged their sons to enter the United States armed forces and have subscribed to Defense bonds.

We appeal to all our members and to all citizens who see this statement to make its contents widely known, and to cooperate actively in ensuring fair play and security to all law-abiding Japanese residents.

SELECTIVE EVACUATION OF JAPANESE-AMERICAN CITIZENS

PROPOSALS PRESENTED TO LT. GEN. JOHN L. DEWITT BY THE COMMITTEE ON NATIONAL SECURITY AND FAIR PLAY

SAN FRANCISCO, CALIF., *March 9, 1942.*

1. *Controlling principles.*— We assume that you are guided by the following principles: The maintenance of national security is the controlling factor in deter-

mining execution of the mandate given you by the Secretary of War. If, therefore, either aliens or citizens living in the most vital military areas constitute a military hazard, they should be removed. A secondary, but very important factor is to keep the infringement of the civil rights of citizens to the lowest possible minimum, and to base it on military necessity—not on race or any other consideration.

2. *Objective of our proposals.*—We desire to aid you in applying the foregoing principles by suggesting methods of discriminating between those citizens of Japanese parentage (Nisei) who do and do not constitute a military hazard.

3. *Alternative methods.*—Method A: Let all Nisei be given the opportunity of being examined as to their loyalty or disloyalty by hearing boards in the communities where they now reside. The appeal boards of the Selective Service appear to be made to order for this purpose. If the number of appeal boards were insufficient, additional similar boards could be set up through local councils of civilian defense or boards of education. The judgment of the hearing boards could be made subject to review of whatever authority you might designate. Examinees would appear voluntarily and have the privilege of bringing witnesses.

We urge that the evacuation of Nisei from other than the most vital areas be deferred until after they have been examined. The process could be completed in 6 weeks at the outside, as shown by this calculation: Assuming that half of the Nisei, or 40,000, are minors who would elect to accompany their alien parents, and that 10,000 adult Nisei would prefer to be evacuated without examination, the remaining thirty-five or forty thousand could be examined within 5 or 6 weeks, if each of 100 boards passed on an average of 10 or 12 cases a day.

Method B: If, however, you deem it quite unwise to defer the evacuation of Nisei from all of military area No. 1, then let them all be examined at the reception camps as soon as possible, and let those who are found to be above suspicion released. This method seems to us to have two serious drawbacks: (1) The great expense and difficulty involved in setting up competent boards at distant camps and in summoning witnesses; and (2) the breaking up of the living arrangements and occupational connections of examinees.

4. *Some general considerations.*—The proposed evacuation of the entire group of Nisei, but of no other group of citizens, apparently on the basis of race, is already embittering some of them and making them turn a ready ear to Communist and other subversive ideas. It is also causing acute distress to many white citizens like ourselves who are concerned over every violation of the democratic principles for which we are fighting.

Since the Nisei are full-fledged American citizens by virtue of birth and upbringing in this country, certainly they should be given not less consideration than German and Italian aliens, sympathetic as we are with those among them who are thoroughly loyal to democratic ideals.

Furthermore, the indiscriminate evacuation of Nisei citizens will, in our judgment, weaken rather than strengthen the civic morale which is an essential element in national security during the war and of national unity after the war.

We are deeply sensible of the weight of responsibility resting upon you, and desire to do all in our power to help you discharge it. Only in that spirit do we venture to lay these proposals before you.

Dr. Henry F. Grady, *Chairman,*
(And names and positions of Vice Chairmen.)

Committee on National Security and Fair Play

Chairman, Dr. Henry F. Grady; vice chairmen: Gen. David P. Barrows, Joseph S. Thompson, President Aurelia Henry Reinhardt, Mayor Frank S. Gaines, George Wilson, Mrs. Robert McWilliams, Rt. Rev. Karl Morgan Block, Dr. Chester H. Rowell, John S. Curran, Gerald H. Hagar, Robert A. Millikan, Frederick J. Koster, Provost Monroe E. Deutsch, President Robert G. Sproul, Dr. Richard R. Perkins, Mrs. Wallace Alexander, Mrs. Agnes M. Cleaveland, President Arthur C. McGiffert, Dr. Benjamin W. Black, Ralph T. Fisher, Maurice E. Harrison, Alfred J. Lundberg, Dean J. Hugh Jackson, President Ray Lyman Wilbur, George G. Kidwell, Mrs. Alfred McLaughlin, Mrs. Duncan S. Robinson, Rabbi Irving F. Reichert, Dr. Chauncey D. Leake, Hon. C. C. Young, and Galen M. Fisher.

THE PRESIDENT'S PROCLAMATION AND THE CALIFORNIA SITUATION

As a group of citizens concerned first and foremost with winning the war, we welcome the President's proclamation of February 20, placing all residents in vital military areas under the control of the Secretary of War and the military commanders. We believe that the extreme gravity of the situation justifies this drastic step. And as Californians, no less than as American citizens, we accept it as a wise solution of the vexed problem of handling enemy aliens and dangerous citizens.

Freedom of speech is still unimpaired, and we are glad to know that National Government authorities, including the military, desire constructive, nonpartisan criticisms and suggestions. In that spirit we venture to offer a few suggestions to them and to our fellow citizens.

Let the actual care of evacuated persons be committed as heretofore to civilian governmental agencies experienced in matters of social welfare.

Let the removal of aliens and citizens be kept at the minimum consistent with military necessity and national security. The uprooting of alien Japanese and Italian farmers living outside vital military areas obviously would reduce production of the food essential to winning the war, and the indiscriminate removal of citizens of alien parentage might convert predominantly loyal or harmless citizens into desperate fifth columnists.

The problem of providing permanent homes for the evacuated persons cannot be solved by Government agencies without the cooperation of local officials and private citizens. Thus far, the 9,000 evacuees are reported, for the most part, to have found only temporary homes. In some communities the entry of Japanese refugees has been resented to the point that long resident Japanese have been warned not to harbor them.

There appear to be only three methods of caring for the evacuees: Either allow them to settle where they can work freely and produce; or set up supervised work projects; or support them in whole or in part at public expense. If they are to find places to settle down and become self-supporting, then some interior communities in California itself or in other States must allow them to settle. This may seem to certain communities like demanding a heavy sacrifice, but without various kinds of sacrifice we cannot hope to win the war. If we mean it when we glibly agree to bear any necessary hardship, then perhaps communities as well as individuals will have to accept this as one of the inescapable sacrifices.

The integrity of our Nation and all the liberties guaranteed by it are at stake. It is a national fight, and only the Government should call the signals. In the spirit of the President's proclamation, it behooves us all—public officials and private citizens alike—to set up no impediments in the way of the military and other Federal authorities, and to place ourselves at their command.

Engaged as we are in a life-and-death struggle to preserve our hard-won democratic heritage, we should be traitors if we flouted democratic principles of justice and humanity in our treatment of either aliens or citizens, even under the stress of war. We therefore appeal to our official representatives, municipal, county, State, and national, and to our fellow citizens of whatever origin, to maintain order under law and the respect for persons summed up in the words "fair play."

NOTE.—The Committee on National Security and Fair Play is the direct successor of the Northern California Committee on Fair Play for Citizens and Aliens of Japanese Ancestry, but it embraces the wider scope implied in its title. Its primary purpose is to support the Government and the armed forces in preserving national security and winning the war, and at the same time, to foster fair play, especially toward law-abiding and innocent aliens and citizens of alien parentage.

GALEN M. FISHER,
Secretary of the Committee.

TESTIMONY OF REV. GORDON K. CHAPMAN, IN CHARGE OF THE PRESBYTERIAN JAPANESE WORK ON THE PACIFIC COAST

The CHAIRMAN. Now, Reverend Chapman, what has been your experience with the Japanese people?

Reverend CHAPMAN. You mean in Japan or in California?

The CHAIRMAN. Your contacts with them in Japan or elsewhere.

Reverend CHAPMAN. Well, during my 20 years' residence in Japan I think I can say that my experience has been on the whole favorable.

Generally speaking, they have shown consideration and kindliness toward American citizens who happened to be residents there.

The Chairman. How have they treated our missionaries?

Reverend Chapman. Very well up until recent years; even the Government has been cooperative.

The Chairman. How long a time did you spend in Japan?

SPENT 20 YEARS IN JAPAN

Reverend Chapman. Twenty years.

The Chairman. In what capacities?

Reverend Chapman. As a missionary educator, professor in a theological college. Since returning here I have had some opportunity to meet Japanese people as I have traveled about from church to church and I would like to give several of those observations.

Two of our churches are involved thus far in prohibited zones. That means, of course, that the alien members, and in both cases they constituted nearly half, have already moved out.

The Japanese people, as far as I have been able to observe, have been and are very cooperative. They are disinclined to ask for aid of any kind. In fact, our churches made plans some time ago to care for all our evacuees through the courtesy of people in inland churches. However, much of that plan has been obstructed because of local antagonisms. Just as you heard from the people from Tulare County and other sections, particularly the valley sections of California, the local people are opposed to almost any influx of Japanese. And so we are very much put out at this time in order to provide housing, not to say work, for these people.

I believe it is true to say that our Christian group is in the main free from any subversive or suspicious activities of any kind. I think that is proven by the fact that there have been practically no arrests of active Christians, and I am speaking right up to date.

HARDSHIP CASES

The problem of divided families, and we have been hearing about it—we heard about that this morning—is a very acute one. I could have matched the stories that were told this morning many times over from Japanese sources.

There are Japanese parents and Japanese widows who have sons in the armed forces of the United States. I have been doing some work in the American Army under the chaplains among the Japanese soldiers. I think it is true to say that Army officers, as far as I have been able to talk with them, testify that they believe them to be loyal and to be faithful soldiers.

Now, I think that there is a great danger that we shall overemphasize the influence of Japanese-language schools and also the effect of trips to Japan and sojourns in Japan. There is very much in the Japanese system which does not commend itself to people who have already tasted of American life and American privileges. The Japanese who returns to Japan—I am speaking of the second generation—they are very likely to have unpleasant experiences. They are more or less on the spot. I think that in many cases it has had a salutary influence for them to go to Japan, to see what Japanese life is, to sense the spirit of oppression and suppression that more or less prevails there. I have had a great deal to do with such people while they have been in Japan and I think on the whole that rather than encouraging them to support ideas like the new order in Asia and the divine destiny of the Japanese and the Emperor and so on, it has turned them the other way.

FEARS EFFECT OF DISCRIMINATORY POLICY

Personally, I am very much concerned at one point that was voiced by our C. I. O. friend, although I am not a member of the C. I. O. I do feel that any treatment, any policy that appears to be discriminatory will not only open the way for very serious future repercussions and problems in this country, but that it will have a very unfortunate effect upon Japan and her policy regarding the treatment of American citizens there, also it will have an unfortunate effect in countries like China where there is a great deal of feeling because of the policy of western nations in the past toward the yellow race. And I trust that whatever is done we will keep that in mind.

Now, when it comes to conceptions like the idea of a divine ruler and a divine state I think it must be recognized that that same philosophy is increasingly common in nations which belong to the Axis in Europe and that these philosophies may have just as subversive an influence upon people who adopt them or who are sympathetic with them in this country as does the Japanese philosophy. In my experience with Japanese young people I have not detected any of this difficulty that has been mentioned over and over again of getting information as to whether or not a person is loyal. This difficulty of getting information from Japanese is something that I have not experienced. I want to say today that on several occasions information has been given me by Japanese young people with the intent that I should take it up with the F. B. I. and I have done so. I could not agree for a moment with the declaration of the Attorney General that there have been no cases of that kind. I believe in the main they are not conscious of such activity because subversive workers know that these young people are in the main loyal and thus they are not sharing any of their plans or purposes with any of these second generationers. I thank you for this privilege and I would like to submit this statement.

(The statement referred to above is as follows:)

STATEMENT BY REV. GORDON K. CHAPMAN, IN CHARGE OF PRESBYTERIAN JAPANESE WORK ON THE PACIFIC COAST

Some Phases of the Japanese Problem in California

Qualifications: The writer, Gordon K. Chapman, was born and educated in the State of California and has had lifelong associations with Japanese people. He spent 20 years in Japan as a missionary of the Presbyterian Church, engaged in evangelistic and educational work. He has a working knowledge of the Japanese language and is quite familiar with their culture and customs. He is now acting as official representative for the board of national missions of the Presbyterian Church in the United States of America for Japanese work on the Pacific coast.

Control of enemy aliens and others engaged in subversive activity: It is the considered opinion of the writer that the Federal Bureau of Investigation was doing an excellent piece of work in uncovering subversive activity and apprehending potentially dangerous Japanese. This conclusion is based on observation and some contact with Federal Bureau of Investigation agents in various places. The present evacuation from "prohibited zones" is working great hardship on a people who are in the main loyal and is accomplishing little or nothing as a defense measure. It would have been better to have left these aliens in all places except those in close proximity to strategic installations. While our inland churches had made plans to house and provide some measure of work for such evacuées, these plans were largely hampered because of the opposition to further influx of Japanese into most communities. It is the opinion of the writer that any and all plans which make a special class of the Japanese and provide restrictions from which Germans and Italians are exempt are manifestly unfair and contrary to American principles and ideals. Any scheme for the control of enemy aliens and other potentially dangerous persons should be equally applicable to Germans and Italians. Long and wide experience with American citizens of Japanese race has convinced the writer that they have become more thoroughly Americanized than is the case with the children of certain other racial groups. And it is true that these young people of Japanese parentage have again and again demonstrated their loyal Americanism. I shall enlarge on these points below:

The question of loyalty: This is admittedly a very difficult question in that even citizens of European origin have proven disloyal and engaged in subversive activity. The writer has had a good deal to do with the members of so-called Japanese-American citizens leagues and knows of no other young peoples' groups which have been exerting so much influence for Americanism among their own people. Pressure has been brought to bear on their members to renounce Japanese citizenship when it was known to be involved and there is reason to believe that this is no longer a major problem in most places; though the writer has found some young people, especially girls, who seemed to have no knowledge about the question at all and supposed that they were only Americans. As a class these young people are mentally alert and very well versed in American ideals. In spite of the fact that they have acquired a slight smattering of Japanese language in language schools, in most cases this particular training did not take and the trip to Japan usually is but a demonstration to them of the superiority of American ways. The writer personally knows many who have become intensely anti-Japanese because of their experiences when they visited the native land of their parents. As the President of a Japanese-American citizen league said to the writer last night: "'We are striving to be loyal and cooperate with the Government in this time of crisis. We thought that this war was going to give us our great opportunity to prove our loyalty as American citizens, but now we are being discharged from the Army and made to feel that we are not wanted. If they don't want us to fight Japan, why don't they give us a crack at Hitler, etc." Any policy which involves racial discrimination at this time is likely to embitter a generation of fine young people who have proven that they can become loyal Americans and drink more deeply of our culture than is the case with many Mexicans, Italians, and certain other races.

The assertion has been made that the Japanese-Americans have not been cooperative in exposing Japanese who were engaged in subversive activity. However, the writer can testify that he has received information from such young people which he has passed on to Federal Bureau of Investigation agents. And, it must be admitted that it is not easy to secure such information. Enemy agents are likely to be working under cover and thus are undisposed to take Japanese-Americans into their confidence. The alien parents of these young people are for the most part industrious people of rather advanced years and it is not to be expected that such are engaged in subversive activity.

Japanese Christian churches: There are quite a large number of Christian churches among Japanese people in California and it is a notable fact that most of those who have been suspected of subversive activity have not been members of these Christian groups. One of the hardest things to bear just now is to see these churches which happen to be located in prohibited areas losing their older members and in most cases their pastors. And if the Japanese-American citizens are also to be evacuated to other localities, then we shall have to face the dissipation of the work of years. These churches are centers of Christian-American culture and it will be a great pity to drive out these Japanese Christians from their church homes. The boundaries which mark the present prohibited areas have been so drawn that in several cases the church buildings are located within a block or block and a half of the line. It would appear right that some provision be made whereby these older believers will be able to continue to attend churches which are within such a short distance of such a boundary line. It is also to be hoped that some special permit will be issued, whereby alien pastors can continue to minister to their scattered flocks.

Repercussions in the Far East: Reports which have come to our foreign mission board through the Swiss Legation indicate that thus far our missionaries in Japan and occupied areas of Asia have for the most part been treated with kindness and consideration. However, the Japanese Government has made it known that its policy in this respect will be largely guided by our treatment of their people in America. Furthermore, any racial discrimination which robs Japanese-Americans of their rights as American citizens will also have an effect on Asiatic attitudes toward America. It is likely to appear as a repudiation of the rights of human freedom at a time when we are having a difficult enough time proving to the world that we are actually fighting such a battle for the world. These factors should be kept in mind in any formulation of policy.

A fair and constructive policy: It appears to the writer that it should be possible, within the scope of the recent Presidential or Executive order, to formulate a policy which would provide for the examination of all potentially dangerous persons and the licensing or issuing of permits to those who can be proven loyal. The same tests can be applied to Japanese as to Germans and Italians, together with any supplemental tests that seem necessary. The writer knows of no reasons why it is difficult or impossible to test the loyalty of Japanese aliens or Japanese-Americans. The fact that Japanese Government agents were allowed to carry on their subversive activity in Hawaii with resultant evil is no reason for being discriminatory here where the authorities are "on the alert." To allow Japanese who are exceedingly skillful in certain industries to continue to work and produce for the Nation at this time would seem to be the part of wisdom. And mass evacuation policy is unnecessarily drastic, contrary to our American principles of fair play, destructive of some of our best human resources and likely to help to defeat some of the chief aims of the war.

TESTIMONY OF REV. FRANK HERRON SMITH, IN CHARGE OF METHODIST JAPANESE MISSIONS WEST OF THE MISSISSIPPI RIVER

The CHAIRMAN. Reverend Smith, do you have any statement to make in regard to the loyalty of the Japanese-American citizens?

Reverend SMITH. Yes, sir. Will you permit me to protect my Americanism a little bit, since I am friendly to the Japanese, by saying that when you were in Kansas University and an all-star orator there—I think you won all the contests of the year, and that was when oratory was as important as football—I was an underclassman and one of your admirers.

The CHAIRMAN. Reverend Smith, I want to say to you that you delivered that much better than I ever delivered any speech.

Reverend SMITH. I am friendly to the Japanese because after finishing my theological education at Northwestern University I was for 21 years in the Orient. Twelve and one-half years of that time I was superintendent of our Japanese missions in Korea and Manchuria and I was called back from there by our board in 1926, and since 1926 I have given all of my time day and night to these Japanese in America.

JAPANESE CHRISTIANS

I have now 55 paid workers in these three coast States and Idaho, Arizona, and Colorado. We think there are a little more than 5,000 Christians among the fifty or sixty thousand—these new figures are not yet clear—first-generation alien Japanese. In other words, about one-tenth of the alien Japanese are Christians. About one-half of the Japanese Americans are favorable to Christianity and prefer Christianity and probably 15,000 of them are working now as ardent Christians. Now, it is my belief from this close association over many years with these Japanese that fully 90 percent of the first-generation Christian aliens are loyal to America. They are gladly sending their sons to the Army. They are buying bonds. They send their children to our schools and most of them would already have become American citizens and be beyond this doubtful stage had we allowed them naturalization, which we do not allow.

I believe that the second generation Japanese Christians, like David Tatsuno and Henry Tani whom you heard here this morning, boys whom I have known 15 years, boys whom I married to their wives, are as truly American as your son, Congressman Tolan, or my son with whom these boys went to school and where they received the same education.

So far as my observation goes, these young Christians are loyal to America almost to a man.

I regret that I do not know the young Buddhists very well but I am quite confident that in spite of their un-American practices and leadership the great majority of them too are loyal to America.

The CHAIRMAN. I think you have got me mixed up in winning those debates down there in Kansas. I think you were the debater yourself. I want to tell you a story about that.

We had a little debating team against Missouri in 1901 and 1902. So one day my son Jack came to me and said "Dad, I thought you won those three debates, according to your story." He said, "I met a fellow today that debated against you and you lost two out of three. He was from Missouri."

Reverend SMITH. He is a story teller.

TESTIMONY OF WILLIAM C. JAMES, CLERK OF THE SOCIETY OF FRIENDS, BERKELEY, CALIF.

The CHAIRMAN. Mr. James, will you briefly describe the activities of the Friends Service Committee?

Mr. JAMES. Well, I should state, Congressman Tolan, that I really don't officially represent the Friends Service Committee. I happen to be a member of that organization but here today I represent the Society of Friends which, of course, is associated with the American Friends Service Committee.

Our executive committee of the Friends Service Committee didn't have the opportunity to meet after we knew that I would have the privilege of appearing here, so I merely represent our meeting in Berkeley, but if you want any statements from the Friends Service Committee I could submit them. However, I don't think that is necessary. I think they are pretty well known.

The CHAIRMAN. What do you think about the employment of these people who are evacuated? Have you any ideas about that?

OPPOSES MASS EVACUATION

Mr. James. I think that many of these evacuees can be employed. I am somewhat familiar with the plan that Galen Fisher presented. I think it and some other plans have much to commend them. Personally I am strongly opposed to mass evacuation. I have it here in a statement if you want me to read it.

The Chairman. Go ahead.

Mr. James. It composes the statement that was drawn up rather hastily by three or four of us this afternoon. [Reading:]

The concern of the Society of Friends at this time is that those in authority realize and appreciate that the majority of the people involved in the problem before us are valuable human beings who are loyal to our institutions and are contributing to the welfare of our local communities and the State.

We have true sympathy for and want to help those faced with the responsibility and duty of making and carrying out governmental policy and edict. We greatly appreciate the tolerance and understanding already shown, particularly in this area.

As a result of religious and racial persecution which many of those involved have received from other countries, they are particularly appreciative of American ideals and are ready and willing to become good and useful United States citizens. Many of them have sons who are in our Government service. This latter statement applies to aliens of all enemy nationalities.

Realizing as you do that efforts should be made to distinguish carefully between the loyal individuals and the few others, we trust that too hasty action will not be taken. We hope that the general policy of the Government will provide for other than mass evacuations and that any necessary evictions be made on an individual rather than an indiscriminate basis.

Our concern then leads us to the serious consideration of some of the proposed plans for resettlement and rehabilitation of those for whom evacuation is necessary.

Respectfully submitted on behalf of the Society of Friends of Berkeley. [Ends reading.]

The Chairman. You see, Dr. Reagor and you gentlemen here, there is nothing comparable to our situation in the entire world.

Dr. Reagor. That is right.

The Chairman. In Japan you have Japanese, in Italy you have Italians, but here we have them all. Isn't that true?

Dr. Reagor. That is correct.

The Chairman. So it is a very, very delicate proposition because, as I have repeated and repeated again, after the war is over we still have to live with all the nationalities, don't we?

Dr. Reagor. Yes.

The Chairman. There is no question about that and the war's end is bound to come.

Now, the only good that we could do with your ideas is to submit them to Congress, but it is in the hands of the military. We were sent out here as a sort of a sounding board for the military, and the Justice Department. I think what you have said here today will probably be a very valuable contribution to us.

Is there anything else you want to add?

Reverend CHAPMAN. Mr. Chairman, there is one matter that I promised to present and I am speaking on behalf of our Japanese alien pastor.

The CHAIRMAN. Yes.

CHURCHES IN PROHIBITED AREAS

Reverend CHAPMAN. As I understand, it has been necessary for them, for the pastors of churches in prohibited zones, to leave these zones, and they are no longer permitted to minister in their churches. Their hope and desire is, and also the desire of the church members is, that some plan be worked out by which these pastors at least can be permitted to minister to their flocks on both sides of the line, as it were. In two cases, for instance, our churches are located within a block and a half or two blocks of the boundary line and they can come within a block and a half or two blocks of the churches but can't enter.

And so if, in the future, a plan can be worked out by which permits can be given to pastors after ascertaining their loyalty, and possibly also to members, to enable them to attend these churches it would be very much appreciated. I am sure we can assume that the Christian churches are very important when it comes to the matter of the maintenance of morale. That is recognized in the Army by our system of chaplains. So in order to keep up the spirit of these people some plan should be worked out by which Christian groups can be kept intact and by which Christian workers can go on with the very valuable service that they are performing.

Reverend SMITH. May I mention two points there, Mr. Tolan? One point, the possibility of deciding which Japanese are loyal and which are disloyal. I am interpreter for the San Francisco Board of Hearing which has been operating under Mr. Biddle, and also I interpreted 3 days in a crisis for the Board of Hearing in the State of Washington. These men here, Mr. Lillick and Mr. Harrison and Mr. Dill, I consider high-grade citizens, and I believe that if you ask them whether they could tell who are loyal and who are disloyal of the men whom they examined that they would tell you that in many cases they can, many cases they cannot. Well, of course, men whom they deem disloyal or doubtful should be put in one class and those whom they deem loyal, perhaps, should be given the identification card of which you spoke.

WOULD MAKE LOYAL JAPANESE WARDS OF AMERICA

Now that the military has come into it, it is my belief that these committees set up, say, one representative of the military and two civilians who could very easily pass on these matters. A committee like that could tell who are loyal and who are disloyal in many cases; most cases, I believe. The loyalty of the second generation young people can be tested as easily as that of any American and the best witness would be the school teacher, the American school teacher. These aliens who pledge their loyalty to us now, in my opinion, should be sworn in as wards. They can't be citizens. They can never go to Japan again. They should be sworn in as wards of America before they are given these identification cards.

The other point, the matter of these zones, that belongs to the military. We are cooperating. Alameda is our zone. We have done, I think, more than any organization there. J. C. Elliott has done fine work, too, in keeping up the morale of the people of Alameda so that there was no hysteria there and no excitement, and that movement has been carried out smoothly and without any difficulty, and we can help with the others.

It is my belief that the women and children are not dangerous. These old ladies, very few of them under 50, are not a dangerous element and might well be left in their homes where most of these women and children can work as they have been working, and support themselves, and will not disrupt society. The old men and the sick men, I believe, can well be left alone. We had there in Missoula one man who died of T. B. and another died of cancer when I was there. If an investigation was made some months previous, such men would not have been taken there.

DOES NOT FEAR A SECOND PEARL HARBOR

Mr. Warren spoke of the danger here of sabotage and there being a timed attack. Now, in my judgment, there is little danger of that for one reason, because within a very few hours after the Pearl Harbor incident the F. B. I. picked up practically all of the Japanese brains of every community here and put them under detention immediately. That leadership is under detention now. And I believe that it is possible to make these distinctions and it is possible to handle this question safely and wisely and humanely without this tremendous mass movement and mass evacuation.

And I pledge to you, sir, or to General DeWitt, or to any organization the assistance of—I pledge my own 55 workers as interpreters and helpers and I wouldn't hesitate a moment to pledge the Presbyterian friends, the Catholic friends, the Congregational friends. All of us who are engaged in this work will be glad to take our part in doing this sifting.

Mr. Fisher. Two days ago I was conversing with a high military officer as well acquainted, I suppose, with conditions in California as almost any man. He said he placed no confidence at all in the predictions of the fifth-column coordinated activity for the one reason that has just been given by Dr. Smith, that the brains had been seized and further leaders can easily be seized. He said for his part he thought that the Nazi elements in our State were far more menacing than any Japanese menace.

The second comment I wanted to ask, if I may, is that while the Japanese-American Citizen League, composed of American-born Japanese, has not been a model in all respects, I think it has rendered a very substantial service to our country and is the only organization now in existence which can help to build moral and interpret Americanism to a good many of the Japanese. The churches are doing splendid work in that direction but the Japanese-American Citizen League also is a very valuable factor.

COMMITTEE PANEL

The Chairman. Now, let me get my own reaction of this committee here. First, you are not in favor of mass evacuation of Japanese, is that right?

Reverend Chapman. That is right.

Mr. Fisher. That is right.

Reverend Smith. That is right.

Dr. Reagor. That is right.

Mr. James. That is right.

The Chairman. This panel here is in favor of treating them on the same basis as the Italians or the Germans?

Reverend Chapman. Yes.

Mr. Fisher. Yes.

Reverend Smith. Yes.

Dr. Reagor. Yes.

Mr. James. Yes.

The Chairman. You think it can be done by a careful investigation to ascertain who are loyal and who are disloyal Japanese, the same as Italians and Germans?

Dr. Reagor. Yes.

Reverend Chapman. Yes.

Reverend Smith. Yes.

Mr. Fisher. Or who are dangerous, that is.

The Chairman. Yes; or who are dangerous.

What would you suggest? There are about 6,000 Japanese down at the Lockheed Aircraft factory in Los Angeles. Would you segregate the Japanese, that is, wholesale?

Reverend Smith. That is a question for the Army to decide.

The Chairman. I know, but I want to get your idea about that. The Army will decide it, there is no question about that, I think.

Reverend Smith. If I were a general, I would certainly make a zone 3 miles or 5 miles around every vital project.

The Chairman. Well, that is what we are doing.

Reverend Smith. Well, I see. I am not an Army man but you asked me what I would do, and that is what I would do.

The Chairman. Would you take them all?

Reverend Smith. You mean the second generation?

The Chairman. Second, third, fourth, fifth, right on down the line, see?

Mr. Fisher. I should stop.

The Chairman. Yes?

Mr. Fisher. I should discriminate even there.

Mr. James. I don't think so.

Mr. Fisher. Just as I would among Americans, I mean white Americans.

Mr. James. I have confidence that the Army will do it better than it might be done by other groups. We won't mention any certain ones but that is my own confidence.

The Chairman. You see, you are very distinguished citizens, reputable men. The Army is listening to you on this now. This is just a futile gesture unless we can tell them what you people think. They have a problem. You say you will leave it to the military.

Well, that is no conclusion; it is left to them anyway. But we thought we might be able to give them some ideas.

Reverend SMITH. I wouldn't allow anyone within 2 or 3 miles of a vital plant, I don't care what his color or ancestry is, without an identification card.

The CHAIRMAN. Mr. Fisher doesn't seem to agree with you.

Dr. REAGOR. There is a vast difference in that and evacuation from military areas.

The CHAIRMAN. I am just trying to think out loud with you; trying to get some information.

Mr. JAMES. We appreciate that.

Reverend CHAPMAN. Mr. Tolan, I think that we can make this a little bit clearer if we can give a specific instance or two. Now, I am very well acquainted with the Monterey Bay area. I know many Japanese there. I know the Army authorities quite well, for instance at Fort Ord. I have had a great deal of conversation regarding this particular problem. Down there certain highways were made the boundary lines. It appeared to me that the first areas named were where certain important installations were, and then a line was drawn, or a highway was taken that would embrace all of the strategic installations. But between these installations there are great areas which are included in prohibited zones where there are no installations of any importance, and people have been evacuated from those areas. I think that certain discrimination should be shown as for example in the case of a Christian church or a community that is just over the line, over on the other side of the highway. In Watsonville you have a highway running right through the town and people are apt to move from one part of the town to the other, and, unfortunately, on the wrong side of the line. Now, I would hope that in cases like that that there could be an investigation and if there are no strategic installations on the other side of the highway that be taken into account.

The CHAIRMAN. Let me ask you, you have great information with regard to Japan, being there for years. Have you any knowledge as to how Americans are being treated in Japan?

TREATMENT OF AMERICANS IN JAPAN

Reverend CHAPMAN. Yes; our board of foreign missions has been able to secure information through the offices of the Swiss Government. They are acting on our behalf in Japan, as you know, and we have learned that approximately one-third of our group have been taken into custody. Two-thirds are still allowed considerable freedom and some, for instance, are continuing to teach in certain schools. The Swiss authorities have also assured us that all are being treated with kindness and that as far as they know there has been no bad treatment as far as Americans are concerned.

The CHAIRMAN. One third are interned?

Reverend CHAPMAN. Yes; one-third of our group are interned and two-thirds, apparently, are not interned at this time.

The CHAIRMAN. Well, you have about 100,000 Japanese in California. A third of them would be about 33,000. No such numbers like that have been taken into custody here.

Reverend CHAPMAN. Of course, it must be recognized that we represent a special class, that is, people who are engaged in a form of propaganda. Christian propaganda is regarded by the Japanese military authorities as something which is antagonistic to the ideals of the new order in Asia, or the Asiatic coprosperity sphere, and because they regard us as propagandists of an order which they do not admire, I think that more of our number would be interned than would be the case with the general civilian population where most of the people are engaged in the ordinary pursuits of life and are not engaged in propaganda of any kind, presumably.

The CHAIRMAN. Well, this is a very interesting panel and, of course, we could spend a lot more time.

Dr. REAGOR. Would you like to have these 1,400 signatures in your record?

The CHAIRMAN. Yes, we will mark it as an exhibit.[1]

Mr. SPARKMAN. Mr. Slade is the next witness.

TESTIMONY OF H. F. SLADE, ASSISTANT CASHIER, FEDERAL RESERVE BANK, SAN FRANCISCO, CALIF.

Mr. SPARKMAN. Will you give your name and official capacity in which you appear here, to the reporter for the record?

Mr. SLADE. My name is H. F. Slade. I am assistant cashier of the Federal Reserve bank. I am in charge of one division of foreign funds control.

Mr. SPARKMAN. Tell us just what activity that office embraces, the scope of your authority, and some little history of the activity of your office.

Mr. SLADE. As an officer of the Federal Reserve bank we act as fiscal agents of the Treasury Department, by request of the Treasury Department, in administering foreign funds control, which I need not take your time to describe. As you know, that authority is derived from Executive order of the President known as Executive Order 8389.

Mr. SPARKMAN. That is the Executive order freezing the funds of aliens?

Mr. SLADE. Of "nationals", which is a slightly different term from "aliens." A national may be a citizen, a resident of a foreign country, or an American citizen who is domiciled in a foreign country.

Mr. SPARKMAN. Would you tell us something about the difference between a generally licensed national and a blocked national?

GENERALLY LICENSED AND BLOCKED NATIONALS

Mr. SLADE. I might go one step further. We speak of native-born. Naturally, a native-born citizen is an American citizen, regardless of his race or creed.

A generally licensed national is one who, under a definition of the regulation of the Treasury Department, is accorded certain privileges practically equal to an American citizen, with the exception of reporting requirements.

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[1] Material referred to is held in committee files.

As a rule a generally licensed national is one who has been in the United States continuously since June 17, 1940. It takes in many of the aliens who come here, but have not obtained citizenship papers as differentiated between the newcomers since June 17, 1940.

Those who have been out of the country, or who came here since June 17, 1940, or who represent foreign interests in some manner, are so-called blocked nationals.

Mr. Sparkman. Would you briefly outline for us the difference in the situation between those who are in a position to apply for a license and those who are not available to make such application—the situation of a bank, the situation of some of these steamship companies, and so forth?

PERMISSIVE LICENSES

Mr. Slade. The licenses issued under the Treasury regulations with few exceptions, have been permissive licenses. They would permit a national to perform some act that he wished to perform. Naturally, if there is not a duly authorized representative available to apply for a license to do some act that he might want to do, under the present set-up that act is not performed. If, however, there is a representative, a relative with power of attorney, or an official who is available, or possibly, in case of the bank you mentioned, the State superintendent of banking, who is authorized to act for that institution, they may apply for a license and receive a license to perform that act.

Mr. Sparkman. Would you tell us briefly what disposition was made of any perishable cargoes that may have been left on the docks at the time of the freezing order?

Mr. Slade. Well, there have been listings made for the benefit of the armed services in locating strategic materials. In some instances of a semiperishable nature, in order to do what seemed to be obvious, to conserve the properties of those who could not be contacted or communicated with, the Treasury Department has issued a directive license.

As a rule, where there were any representatives who could take such action on their own behalf, they have acted without directive licenses.

Mr. Sparkman. It is our understanding that under certain Executive orders of the President, a Japanese national cannot diminish his assets. Would you explain to us just what that means?

GENERAL LICENSE 68–A

Mr. Slade. We spoke of generally licensed nationals. Under a general license, 68–A, issued by the Treasury Department to Japanese who have been here continuously since June 17, 1940, could carry on business, withdraw money from banks, and do many of those commercial acts, with the provision that the license did not authorize them to substantially diminish their assets in the United States; meaning either take them out of the country, or give them to relatives or friends without consideration.

Mr. Sparkman. We are aware, of course, that your office is not in any way a custodian of the property of the enemy alien, but could you make a distinction for us between the activities of your office and those activities which might conceivably be administered by an alien property custodian, or a similar officer?

Mr. Slade. Well, as I said previously, the licenses issued in our capacity as fiscal agents of the Treasury Department have been permissive licenses. They have not been of a nature of management, or the carrying on of businesses.

There have been some instances in which properties were put under the seal of the Treasury Department and guards, or supervisors installed at the premises, but those were merely for the sake of preserving the properties in their present status, and not for operating them.

Mr. Sparkman. Could you tell us whether any data or statistics have been collected concerning the holdings of property or assets by enemy aliens?

FOREIGN PROPERTY REPORTS

Mr. Slade. Yes. The regulations of the Treasury Department provide for the filing of foreign property reports. There have been many hundreds of thousands of property reports filed, both by aliens and by citizens, or domestic institutions holding credits or properties of aliens. That applies not only to enemy aliens, but to friendly aliens as well.

Mr. Sparkman. Is your office aware of any trading or transferring of title without having obtained a license?

Mr. Slade. There would, of course, be exceptions to any such sweeping regulation as the one we are discussing, possibly through ignorance of the regulations. If we were aware of any transfers of property without a license we would be required to turn it over to an investigative unit of the Treasury Department, who would look into it.

There have been some transfers without a license which are under investigation.

Mr. Sparkman. Mr. Slade, with the increase in the evacuation of these people from this area, don't you think that there should be established here some office of custodian of alien property?

Mr. Slade. Well, that is a problem that is beyond the scope of my official position, or beyond my recommendation. It seems obvious that if people are moved away from their properties, unless some legal representative in the form of an attorney in fact, or a relative, can administer those properties they will be subject to depreciation and deterioration and be at the mercy of people who want to buy them at less than real value. But I don't feel that that comes under the foreign-funds control because most of those can be moved at will, or traded at the will of the present owners. They will sell or move out, as they like.

Mr. Sparkman. In short, the function of your office is to license transfers, whereas the custodian would be one of management and control?

Mr. Slade. Yes. It is a different operation.

The Chairman. Thank you very much, Mr. Slade. We appreciate your coming here.

Tatsu Ogawa.

TESTIMONY OF TATSU J. OGAWA, FORMER FLORIST, BERKELEY, CALIF.

The Chairman. Please state your name.

Mr. Ogawa. Tatsu J. Ogawa.

The Chairman. Where were you born?

Mr. Ogawa. In Hawaii, on the island of Maui.

The Chairman. How long ago? You are not sensitive about your age, are you?

Mr. Ogawa. Not at all. In 1896.

The Chairman. How long have you resided in the United States?

Mr. Ogawa. Ever since 1915, during the first San Francisco Fair.

The Chairman. Where did you go to school?

Mr. Ogawa. I attended school here in Oakland, Los Angeles, San Diego, and the university at Davis.

The Chairman. Are you married?

Mr. Ogawa. Yes, I am.

The Chairman. Any children?

Mr. Ogawa. Four children, sir.

The Chairman. Have you been in business in this country?

Mr. Ogawa. I have been, sir.

The Chairman. Where?

Mr. Ogawa. In Berkeley, on University Avenue.

The Chairman. What sort of business?

Mr. Ogawa. In the floral business.

The Chairman. How long were you in business?

Mr. Ogawa. Approximately 12 years.

The Chairman. In one place?

Mr. Ogawa. In one place, sir.

The Chairman. Well, you are not in business now; are you?

Mr. Ogawa. No, sir.

The Chairman. What caused you to go out of business?

Mr. Ogawa. I think it is due to—I don't know exactly—but I think it is due mostly to depression.

The Chairman. What?

Mr. Ogawa. Depression. I think so, but not exactly discrimination, but business fell off.

The Chairman. You have been 12 years in business. It took quite a while for depression to catch up with you, didn't it?

Mr. Ogawa. Yes, sir; it finally caught up with me.

The Chairman. That partner didn't help you out any, did he, the partner that you had in business?

Mr. Ogawa. Not very much.

The Chairman. Except to help you out of business, is that the idea?

Mr. Ogawa. Yes; that is right, sir.

The Chairman. Was he a Japanese?

Mr. Ogawa. Yes, sir.

The Chairman. How long were you in partnership with him?

Mr. Ogawa. Ever since we started in together.

The Chairman. Don't you think that that was the real depression that caused your loss of business, this partnership as much as anything?

Mr. Ogawa. Probably so; yes.

The Chairman. He sort of held out on you, didn't he?

Mr. Ogawa. Well, I don't like to say.

SERVED IN FIRST WORLD WAR

The Chairman. Did you ever serve in the armed forces of the United States?

Mr. Ogawa. I am glad to say I did, sir.

The Chairman. For how long?

Mr. Ogawa. From October 1917 until discharged in April 1919.

The Chairman. Did you go to Europe?

Mr. Ogawa. Yes, sir. I served with Company G, Three hundred and Sixty-fourth Infantry, Ninty-first Division.

The Chairman. Did you see any action over there—did you get in any battles?

Mr. Ogawa. Yes.

The Chairman. Did you win any?

Mr. Ogawa. I hope to say we did. We were in the St. Mihiel drive and the Meuse-Argonne offensive.

The Chairman. Were you wounded?

Mr. Ogawa. I was wounded on the morning of October 2, 1918, at Meuse-Argonne offensive.

The Chairman. Then were you discharged on account of disability, or what?

Mr. Ogawa. I was discharged with good health, but my health has been failing ever since.

The Chairman. Are you drawing any compensation for that?

Mr. Ogawa. Yes.

The Chairman. How much do you receive?

Mr. Ogawa. $24.

The Chairman. $24 a month?

Mr. Ogawa. Yes, sir.

The Chairman. Are you a member of any patriotic organization in this country?

Mr. Ogawa. Yes, I am. I belong to the San Francisco Three hundred and sixty-third Infantry Association, and across the bay I belong to the Veterans of Foreign Wars, American Legion, Disabled American Veterans, of which I am chaplain, and I am sergeant at arms of the Ninety-first Division Association.

The Chairman. That is about all you can belong to because I think that is about all there are.

Mr. Ogawa. They won't leave a good man out.

The Chairman. What are you doing now?

Mr. Ogawa. I am working at the Moore Shipyard.

The Chairman. What kind of work are you doing?

Mr. Ogawa. I am a helper there.

The Chairman. How much money are you making now?

Mr. Ogawa. It depends on the work I do; depends on the days that I put in.

The Chairman. Well, approximately how much a week?

Mr. Ogawa. It varies from $35 to $50.

The Chairman. Where is your family?

Mr. OGAWA. My wife and four children are back in Hawaii visiting. She was just about ready to return when war was declared.

The CHAIRMAN. They went before the Pearl Harbor attack?

Mr. OGAWA. Yes; she left here last July.

The CHAIRMAN. Do your people live over there, your father and mother?

Mr. OGAWA. Her folks are all there.

The CHAIRMAN. Do you hear from her now?

Mr. OGAWA. I haven't had a letter for about 5 weeks from her. Where she is, how she is getting along, I haven't any idea. I am very anxious about it.

The CHAIRMAN. Do you own your own home?

Mr. OGAWA. I am glad to say that I am purchasing it under the Veterans' Welfare Board.

The CHAIRMAN. When did you buy it?

Mr. OGAWA. 1935. I have a beautiful home and enjoy it very much.

The CHAIRMAN. Have you been able to keep up your payments on your home?

Mr. OGAWA. I am trying my best to keep them up, because I love my home so well. I think I have one of the best homes in Berkeley.

The CHAIRMAN. Are you able to send any money to your family in Hawaii?

Mr. OGAWA. I am sending them some; yes.

The CHAIRMAN. How old are your children?

Mr. OGAWA. The oldest is 12, then 10, 6, and 5.

Mr. SPARKMAN. Just where is your family in Hawaii?

Mr. OGAWA. On the island of Maui, in the town of Puunene.

Mr. SPARKMAN. Are you a citizen of the United States?

Mr. OGAWA. I am glad to say that I am, sir.

Mr. SPARKMAN. Do you anticipate that you are to be affected in any way by any of these orders, that is, do you live within a restricted area?

Mr. OGAWA. My home is in a restricted zone.

Mr. SPARKMAN. Not in a prohibited zone?

Mr. OGAWA. Well, I am in the north of University Avenue and west of Grove Street.

Mr. SPARKMAN. Are you going to be required to move out tomorrow, day after tomorrow?

Mr. OGAWA. I haven't heard anything like that yet.

Dr. LAMB. You are in the curfew zone, aren't you?

Mr. OGAWA. I don't know just how it is.

Mr. SPARKMAN. There is no order that applies to you as yet?

Mr. OGAWA. No.

Mr. SPARKMAN. You simply anticipate that there may be some order later?

Mr. OGAWA. If it comes through; yes.

Mr. SPARKMAN. Is there any likelihood of your losing your job?

Mr. OGAWA. The dark cloud seems to be hanging before me now and I may lose my job tomorrow, or at least in a very short time.

Mr. SPARKMAN. No one has actually told you so?

Mr. OGAWA. I was called into the office last Thursday afternoon and I was surprised to hear that my services were no longer needed at the Moore Shipyard.

Mr. Sparkman. If you lose your job you will also lose your home?

Mr. Ogawa. I suppose as long as I keep up my payments I can maintain my home, but when I am not able to pay I don't know what the Veterans' Welfare Board will do. I haven't discussed with Mr. House that matter. I am doing everything possible to keep my home. We are thinking very dearly of that home, my wife and I.

The Chairman. Thank you very much.

Call the panel.

Mr. Arnold. We have two witnesses next, Mr. Kunitani and Mr. Iiyama, appearing in behalf of the Nisei Democratic Club of Oakland.

The committee will be glad to have you proceed in as brief a manner as you can. I have no questions. Just make your own statement.

TESTIMONY OF ERNEST IIYAMA, PRESIDENT, NISEI DEMOCRATIC CLUB OF OAKLAND, CALIF.

Mr. Iiyama. I will give a brief outline of the background of our organization and then there will be a short introduction from one of our members.

Mr. Arnold. Yes. You may proceed.

Mr. Iiyama. We were organized during the 1938 campaign, and the purpose of our organization was to bring about democratic education of Nisei Japanese and also action in the political field.

Our members are Young Democrats. We have approximately 50 members now.

Mr. Sparkman. Is your organization opposed to Republicans or any other political party?

Mr. Iiyama. We were affiliated with the Young Democrats, Inc., of California.

Mr. Sparkman. All of you?

Mr. Iiyama. Yes.

Mr. Sparkman. All of you now?

Mr. Iiyama. Well, we were until the Young Democrats split, and although we are not members of the organization now we are still Young Democrats.

The Chairman. You don't mean to tell the committee that Democrats ever split, do you?

Mr. Iiyama. There was some difference, I believe.

TESTIMONY OF MICHIO KUNITANI, BERKELEY, CALIF.

Mr. Kunitani. I want to qualify that. As I am a Federal employee, I have been hatched out. I am not speaking as a member of the organization, but in behalf of the organization, as a former member.

The Chairman. When did you get hatched out?

Mr. Kunitani. You ask Senator Hatch.

Mr. Sparkman. Weren't you on the committee that reported out that Hatch Act?

The Chairman. Yes.

Mr. Arnold. You may proceed, Mr. Iiyama.

Mr. IIYAMA. We have joined the Young Democrats in the political and social field, and we have participated in pro-Democratic resolutions, in presenting pro-Democratic resolutions to vocational organizations. We supported the embargo on war materials to Japan, and the embargo of oil to Japan before the war broke out.

We have supported President Roosevelt's present program to defeat the Axis Powers.

Since the war has broken out we have increased our meetings to once a week to keep up with the events that are breaking so fast.

That is, briefly, an outline of our organization.

Now, I would like to have Mr. Kunitani present a brief introduction.

TESTIMONY OF MICHIO KUNITANI, BERKELEY, CALIF.—Resumed

Mr. KUNITANI. We come here as Americans prepared to take a frank attitude and make frank statements, and speak to the members of this committee here just as people probably would in the cloakroom of the House of Representatives. We are going to be very informal. We would like to be able to present our statements in very brief outline and then we would like to have questions asked later, if that is all right with the Congressmen.

We come here as Americans, not by virtue of our birth in America, but by virtue of the social and cultural forces in America. We come here to be treated as Americans and we want to live as Americans in America.

As I say, we are Americans, not by the mere technicality of birth, but by all the other forces of sports, amusements, schools, churches, which are in our communities and which affect our lives directly.

Some of us are Yankee fans; some of us are Dodger fans; some like to sip beer; some like to go up to the Top of the Mark once in a while; we enjoy Jack Benny; we listen to Beethoven, and some of us even go through the Congressional Record. That is something.

The main idea that our group wanted to present here today was that we didn't want to be treated as a special group of enemy aliens and as descendants of enemy aliens. We want to be treated as Americans, or as other groups, such as Italians, Yugoslavs, or Finns.

It seems that among the reasons put forth by the committee, and the witnesses who testified this morning, and last Saturday, on why they thought that we should be treated as a special group were the following:

No. 1. Our physical characteristics.

No. 2. The question of dual citizenship.

No. 3. The vague question of Shintoism and national religion.

No. 4. The question of the language schools which many of us have attended.

SUGGESTED POLICIES FOR TREATMENT OF EVACUEES

Our group is in favor of evacuation if the military authorities of the United States deem it necessary. But if we do evacuate we think certain considerations should be taken into account:

No. 1. If we are evacuated we would like to have food, shelter, and clothing, whether it be in North Dakota, Arizona, or Florida.

No. 2. We think some plan should be instituted so that the evacuees can participate positively in the defense effort and that we can, by our efforts in some way help gain a quicker victory for the anti-Fascist forces.

No. 3. We want the evacuees who are in the various professions, such as doctors, opticians, lawyers, and so on, to continue to act in that capacity.

I would like to touch on the question of loyalty. There has been a hue and cry by a lot of the people in California that there has been no anti-Fascist action on the part of any Japanese group. I would like to refute that statement right here and now.

Our organization, since the Democratic campaign of 1938, has come out on numerous occasions against shipments of oil and scrap iron to the Fascist war lords of Japan, and we opposed aggression in Ethiopia. Our records are filled with communications to our Congressmen, even to our Representative, who happens to be Mr. Tolan, urging them to vote against such measures in Congress.

I want to touch upon the question of the language schools. I would like to point out to the members of the committee that our parents, most of them, have had very little education. You will find in any group, whether they be Jews, Yugoslavs, Finns, Danes, or Japanese, that the people who do migrate to other lands are usually those who have not had economic security in their native lands and, therefore, have come to new areas in order to gain a livelihood. Most of our parents fall into that category.

REASONS FOR JAPANESE LANGUAGE SCHOOLS

They set up these language schools for various reasons.

No. 1. They thought that since they enjoyed the fruits of American life that they should contribute something to America. They thought that the fine parts of Japanese culture could be integrated into American life and that the second generation of Japanese, if they were able to read and write, could thereby discover the better side of Japanese culture and they could give that as their contribution to America and, if they could do that, the parents would die happy.

No. 2. This so-called indoctrination on the part of our parents hasn't been only along Japanese lines, but it has also followed American lines. We had 500 students registered at the University of California last semester. That is the largest enrollment of any minority group in the State of California. The record will also show a large number of Japanese students attending universities and high schools.

There is another reason why a study of the Japanese language is encouraged and that is because a knowledge of the Japanese language is essential to the economic picture into which the Japanese man or woman has to fit. At least, in this generation most of our employers happen to be Japanese.

DISCRIMINATION AND ITS EFFECT

We were discriminated against in private industry and, therefore, the only other channel into which the Japanese people could gain an economic livelihood was in the Japanese group. It was essential for us to learn the Japanese language so that we could converse intelligently with our employers.

Another point that I want to bring out is that there aren't very many Japanese in the civil service of the Federal Government, or in the State and local governments. That those who are working for the Federal Government are in there because they are discriminated against in private industry. It is usually in the case of professional workers rather than, we will say, those who fall in the category of laborers.

Another point I want to bring out is that the time spent in language schools amounts to about an hour a day, maybe two or three times a week.

Most of the time of the Japanese student is spent in the public schools. He spends from 6 to 8 hours in public schools. After school he goes into the extra-curricular activity of the public schools. His Sundays and Saturdays are taken up by participation in athletic events, Boy Scout activities, and such.

The time element there is not present in which the young Japanese could be indoctrinated with Shintoism or anything else.

Mr. ARNOLD. What is taught in those language schools?

Mr. KUNITANI. I went to a Japanese language school for about 4 years. I did not like to go at all. I went home and told my mother I had attended school when, as a matter of fact on some occasions I had not. She said, "What did you do?"

I lied, and said, "I did this and I did that."

I memorized a couple of poems. I knew that Yokohama was so many miles away from Tokyo. I learned something about geography. There was nothing indoctrinating me in the worship of my ancestors, or anything like that. I didn't go high enough to learn what they taught in the higher grades. I just went to the equivalent of about the third grade in the Japanese school. Even then I attended only haphazardly.

My case, I think, is typical of most of the Japanese who attend Japanese language schools.

Mr. ARNOLD. Do you have any knowledge of what they teach higher up in these Japanese language schools?

Mr. KUNITANI. That I don't know.

Mr. ARNOLD. Haven't you ever inquired?

Mr. KUNITANI. No. I wasn't interested.

Another point is this: Most of the second generation Japanese do not know the language sufficiently to be indoctrinated. In fact, most of our homes are places where, after dinner, we don't congregate around the living room, or at the dinner table and talk. Usually after 6 or 6:30 it is: "Well, I have to go to the basketball game," or "I have to go to a show."

That point is well brought out by the fact that the Army had to hire Japanese students to teach Japanese enrollees the Japanese language. That has been the case at Camp Roberts and at Fort Ord. It bears out my point that most of the Japanese, the young Japanese, don't know the language at all.

Mr. Arnold. Were those college graduates?

Mr. Kunitani. I mean all second generation Japanese.

DUAL CITIZENSHIP

Now, I want to touch on the question of dual citizenship. I do not know very much about its history and background, but I can present my case in point.

I didn't even know that I was a citizen of Japan until I was about 17 years old, and a freshman in college. My father happened to tell me that I was a citizen of Japan. Therefore, I went through the legal channels and expatriated myself.

Mr. Arnold. You expatriated yourself as a Japanese?

Mr. Kunitani. Yes.

Mr. Arnold. You have renounced your Japanese citizenship?

Mr. Kunitani. Yes, sir.

Mr. Arnold. How did you do it?

Mr. Kunitani. The only legal channel set up at that time was to renounce your citizenship through the medium of the Japanese consulate. They sent some papers to my father's prefecture and they crossed my name off the record, or something like that.

I have a record of all that at home, but it is all in Japanese and it would have to be translated.

Another thing I would like to point out to the members of the committee is the indivisibility of citizenship in the eyes of American law. If we are citizens here that is enough. I don't think all this cry about the question of dual citizenship is that important. I mean it doesn't play a major role in our lives.

Another thing in connection with dual citizenship that I would like to point out is that since the only other channel of expatriation has been closed to us by the closing of Japanese consulates, we favor the bill which was before Congress which provides that legal means be set up so that Japanese who have dual citizenship could expatriate themselves through American courts. Our organization is in favor of such a measure and we have written to our Congressman to support it.

Another thing I would like to point out, and it is probably a question you would ask me, is this: What about the recent raids by the F. B. I., when they found thousands of rounds of ammunition, sabers, binoculars, flashlights, and what not, in some of the homes, after the date set for turning in such contraband?

Our answer to that question is this: That our organization has instructed its members many times to tell their friends, and their parents, to surrender such things. I think most Japanese people have done this, and have carried out the regulation of the Department of Justice and the War Department in that connection.

JAPANESE IN DEFENSE AREAS

Another thing I would like to point out is this: Which came first, the defense areas or the Japanese farms that are around the defense areas?

I would like to point out that agriculture was the first occupation open to the Japanese people. The people who came here first were agriculturalists. One-third of the present Japanese population in the United States is engaged in agricultural pursuits. It just happens that they have followed a pattern. It is a similar pattern in Des Moines, Iowa, in Jamestown, Va. as well as in California. It is a social pattern which is not peculiar to California, or to Washington. The fundamental basis is the same all over the United States.

Mr. ARNOLD. How do you account for the fact that Japanese citizens own all the land around the Lockheed plant in Los Angeles?

Mr. KUNITANI. Well, I don't know about that.

Mr. ARNOLD. Attorney General Warren testified that the land that had been bought up by Japanese in and near these plants couldn't grow enough to hide a jack rabbit. Do you know anything about that?

Mr. KUNITANI. I don't know anything about that. I couldn't refute Attorney General Warren on that point at all.

But I would like to point out the principle of these things. I think all these other things can be taken up later by the committee. I don't think we should waste time on them at the moment.

Mr. ARNOLD. We must move along for we have two more witnesses.

Mr. KUNITANI. I will be through in another 5 minutes.

JAPANESE ON TERMINAL ISLAND

I now come to the matter of the question of Terminal Island. Those fishermen on Terminal Island were there 20 years ago and that military airport that happens to be there was just completed in 1938. I know that for a fact. I think you could go through the records of the Navy Department and find out when that field was put on Terminal Island.

Another thing that I want to point out is that there is no conscious movement of Japanese to these areas. It is just simply a matter of following their occupations—farming. If it were third- or fourth-generation Japanese probably there might be—I mean if we found farms were around strategic areas, probably there would be a conscious effort by the Japanese to move around to certain areas, but I don't think at the present time, in this generation at least, there is any conscious movement on the part of the Japanese as a whole.

There may be some Japanese who have started farms around certain defense areas. Mr. Warren brought that out last Saturday. That I cannot refute. But I would like to point out the other side of the picture at this present time.

Another thing that I want to point out is our position in the war. Our club has been against any aggression, whether it be Japanese, Italian, Fascist, Spanish, or otherwise. Our records are just filled with resolutions which we passed against the action of those countries.

Mr. Arnold. How long ago?

Mr. Kunitani. That was before the war; we started our organization in 1938. Our hands are clean and our houses are open. You are welcome to come to any member of our organization to discover whether or not he is loyal. We have no hesitancy on that part.

SABOTAGE AT PEARL HARBOR

Another point I want to bring out is about Pearl Harbor. We hear lots about sabotage at Pearl Harbor.

Mr. Tolan pointed out frequently this morning, and this afternoon, that he heard of Army trucks put in the road. I don't know where Mr. Tolan got that information. I don't know whether that is true or not. I cannot say. I can only go on the Roberts report, which was the only official United States document put out, as to what happened at Pearl Harbor, and why things happened as they did. I think if you gentlemen look into the Roberts report again you will find that no mention was made of sabotage on the part of Japanese-Americans. They pointed out that 200 members operating out of the Japanese consulate were the most active participants in fifth column activities in Hawaii.

I mean to say the average Japanese in California isn't intelligent enough to go about and engage in fifth column activities. The odds are against him. He has an oriental face that can be easily detected.

I am not saying there wasn't any fifth column activity in Pearl Harbor on the part of Japanese, but I don't think there was wholesale fifth column activity on the part of the Japanese-Americans or the aliens in Pearl Harbor.

The Chairman. You don't want to leave the impression that Japanese are not smart, do you?

Mr. Kunitani. No, not that. I think some of them are alert and intelligent.

The Chairman. Did you read the report of Secretary Knox about sabotage in Pearl Harbor?

Mr. Kunitani. As I said before, the only report that I could believe, as a citizen, is the official report of the Government, and that was the Roberts report.

I think President Roosevelt said in his press conference the other day, when asked by Pearson, and some of the other reporters, if it were not true that even the Spaniards and Arabs knew about what happened at Pearl Harbor, his answer was, "Complete rot," and he spelled out r-o-t. That is the report I got. As far as our organization is concerned, it is standing by the only official report put out by the United States Government, which is the Roberts committee report.

I don't know where Mr. Tolan got his information. It may be true. I am not saying that it isn't.

Mr. Sparkman. The Roberts report did not deny the idea of sabotage and fifth-column activity. It simply didn't mention it.

Mr. Kunitani. Yes. There was no positive statement in the report itself. It didn't say they didn't do it nor that they did do it. What they said was that there were 200 operators under the Japanese consulate and they were the main saboteurs in Pearl Harbor.

Another point I want to make is this idea of hardship cases. I think Congressman Tolan pointed out numerous times this morning what should be done about hardship cases.

PLANS FOR EVACUATION

Our organization has a definite plan as to what should be done about such cases if evacuation is to be instituted here in California.

No. 1. Our prime purpose is that we should not be treated any differently than Italians, Germans, Finns, or Yugoslavs. We want to be treated equally.

No. 2. We think that the Federal authorities should handle such cases. We don't believe that local authorities have the time, or the money, to set up agencies to take care of such cases.

We believe that the Federal Security Administration, under the able direction of Paul G. McNutt, should take the matter into its hands. I don't think the Army and Navy should do it. They have a big fight on their hands outside. I think they would be willing to let civilian bureaus handle this job of hardship cases. We think that the United States Employment Service, or the State social security board, should take such cases and deal with them.

I do not think any individual in America has any idea as to the numerous problems which will arise when you transplant a whole economy from one area to another. There are so many variables involved that I do not think anybody could begin to comprehend them.

We have tried to point out what, in our opinion, should be done.

Mr. Arnold. Who is the young lady beside you?

Mr. Kunitani. She happens to be my wife.

Mr. Arnold. Is she a member of your organization?

Mrs. Anne Kunitani. Yes, I am a member.

Mr. Arnold. I might ask Mrs. Kunitani the same question I asked an Italian lady this morning.

Is your husband a 100 percent loyal American?

TESTIMONY OF ANNE KUNITANI, BERKELEY, CALIF.

Mrs. Kunitani. He is a Democrat and has been ever since I have known him. Does that make him a 100-percent American?

Mr. Kunitani. That puts me on the spot.

The Chairman. Do you think that the Democrats alone can win the war in this country?

Mrs. Kunitani. Not necessarily.

Mr. Arnold. As one Democrat to another, I want to commend you——

Mrs. Kunitani (interposing). I might tell you it was on the basis of his anti-Fascist activities that I met him and married him.

The Chairman. Are you sorry?

Mrs. Kunitani. Not as yet.

Mr. Arnold. Does that include anti-Japanese activity?

Mrs. Kunitani. Oh, yes. We don't discriminate among the Fascists.

Mr. Arnold. Japan became a member of the Axis after Italy did.

Mrs. Kunitani. Yes. I want to bring out the fact that both the president of our organization and my husband have been to Japan and their reaction to what they saw there in the way of military activity did not affect them favorably. It had just the opposite effect. It was because of what they saw there that they have become especially ardent in championing the cause against the Axis Powers.

Mr. Arnold. I think perhaps your statement has more effect in the record than what these two gentlemen have said.

Mrs. Kunitani. I think you are prejudiced.

The Chairman. Well, a woman must always have the last word.

What do you think about this proposition: Do you think the United States today is more in danger of sabotage from Germans and Italians than it is from Japanese?

Mrs. Kunitani. No; I wouldn't say that they are in greater danger. But I think there is just as much danger. Of course, here on the Pacific coast I think everyone has a tendency to be prejudiced more against the Japanese as a potential saboteur than against the others, because the danger seems more imminent.

As my husband stated, we feel we would be perfectly willing to abide by the regulations set down by the Federal Government, provided they are set down with equality toward all of these descendants of Axis aliens.

JAPANESE REPORT FIFTH-COLUMN ACTIVITIES

Another thing we forgot to mention is the fact that in our own membership we have had people who actually reported fifth-column activity. I don't care to divulge the names in public, but if you care to have them——

The Chairman. Reports against Japanese fifth columnists?

Mrs. Kunitani. Yes.

The Chairman. Then there are some fifth-column Japanese?

Mrs. Kunatani. Yes—if not actual fifth-column activity, there are people who have definite pro-Japanese sympathies.

Mr. Kunatani. I think that the Army and Navy Intelligence, and the F. B. I. have known that for a long time. I wouldn't say at the present time there aren't foreign agents here. I think there are lots of them here, as well as native agents—I mean people who are Americans and who would like to see our country defeated. This question of fascism is not delegated to one country or to one race. It is universal, a universal pattern.

Mr. Arnold. You have presented your testimony in a splendid manner. We appreciate your coming and would like to hear more, but we have two other witnesses.

Mr. Iiyama. May I mention a couple of things before closing?

We would like to have the Japanese-Americans represented on the committees which will plan evacuation, and things like that, because it is our problem and I think we could contribute something to it. If there is any committee set up to plan these things we would like to have representation on that committee.

Another thing that we would like is that some centralized Government body be established so that Japanese can go to them to get information on their problems and how they can solve them.

Another thing is the control of the press. I think the Government should control the press, as far as the Japanese press is concerned, and to some extent the American press. They are playing up the racial line which only goes to break up the unity of the people. I would like to see some Government control over those things too.

The Chairman. Thank you.

Mr. Arnold. We have two more witnesses—James M. Omura and Miss Okuma.

These witnesses have requested to be heard, as I understand it, as they do not feel that what was said by the representatives of another Japanese-American organization has properly presented their case.

Mr. Omura. Do you want me to proceed?

Mr. Arnold. A woman should always have the last word. You may proceed.

TESTIMONY OF JAMES M. OMURA, EDITOR AND PUBLISHER, CURRENT LIFE, SAN FRANCISCO, CALIF.

Mr. Omura. I appear before this committee informally. I have just come from work and I am not dressed properly for an appearance before such a committee.

Mr. Arnold. What is your work?

Mr. Omura. My regular work is that of a buyer and head packer for the Amling Wholesale Florists.

Of course, on the side, I publish Current Life, a magazine dedicated toward better understanding. It is entirely supported by what income I gain from my regular job. It was originated in October 1940. Since then we have been doing our best to present the factual side of the Nisei problem.

Of course, we understand and recognize the fact that much of what is being said in the Japanese newspapers and in the Japanese communities is in a great measure propaganda.

We are opposed to what we believe is a one-sided presentation of the issue.

Since this publication, Current Life, came into being, we have attacked our own racial society as well as the greater American public in what we believe is unfairness and injustice.

I requested to be heard here due largely to the fact that I am strongly opposed to mass evacuation of American-born Japanese. It is my honest belief that such an action would not solve the question of Nisei loyalty. If any such action is taken I believe that we would be only procrastinating on the question of loyalty, that we are afraid to deal with it, and that at this, our first opportunity, we are trying to strip the Nisei of their opportunity to prove their loyalty.

I do not believe there has ever been, or ever could be again, a situation of this kind where the Nisei can prove their loyalty.

I suppose you understand that I am in some measure opposed to what some of the other representatives of the Japanese community have said here before this committee. Unfortunately, I wasn't here, and I have no report on it, so I do not know actually what was said, but I do know generally what they are promoting.

I specifically refer to the J. A. C. L. It is a matter of public record among the Japanese community that I have been consistently opposed to the Japanese-American Citizen League. I have not been opposed to that organization primarily in regards to its principles, but I have felt that the leaders were leading the American-born Japanese along the wrong channels, and I have not minced words in saying so publicly.

I do not know what else I could say, except that I desire to have an unpublished editorial of Current Life read into this record.

Mr. Arnold. Do you have it there?

Mr. Omura. Yes.

Mr. Arnold. Just leave that with the reporter and it will become a part of the record.

(Editorial referred to above is as follows:)

In Spirit, We Are Americans

Promoters of racialism—the gulf which seems to eternally divide oriental Americans from fellow Americans of Caucasian ancestry—have enjoyed a virtual field day to date in their vigorous campaign to oust resident Japanese, including bona fide citizens, from their hard-won economic niche * * * modest as such may be. The theory of racial "divine creation" is a theory which gains greater and more ominous impetus with the progress of war in the Pacific, especially intensified at the current hour by virtue of repeated Allied losses in the Far East.

The Nisei Americans, the unfortunate children of destiny in this Pacific war, are mere stepping stones for political aspirants and self-seekers. They are being utilized today as political footballs for ambitious officeholders and aspiring demagogs who find it quite opportune to grind their personal axes on the fate of these oft-vilified and persecuted voiceless Americans. The extent to which bigotry and racial antipathy can go in denying civil liberties—a vital cornerstone of democracy—to a segment of the population is witnessed in the summary dismissal of Nisei civil-service employees in the city and county of Los Angeles.

Racialism doubtlessly will play a significant and important role in the war over the Pacific. And the brunt of the guilt for the criminal act of December 7, at Pearl Harbor seems destined to fall upon the guiltless brow of the poor, hapless Nisei—merely because they wear the outward features of the race whose people committed the now historic crime. For that act, the Caucasian population on the Pacific coast will find fiendish glee in exacting punishment upon citizen Americans with Japanese faces. What could be more unjust and un-American?

The future of Nisei Americans is indeed dark. They walk through life in fear, dreading that with each passing moment new restrictions and edicts, disrupting the normal conduct of their daily lives will be adopted. They have watched with saddening brows the pathos and confusion of their alien parents being uprooted forcefully from the homes which took some of the best years of their oppressed lives to build commanded by the stern measures of a nation at war to go elsewhere in some distant alien surroundings to build anew. Will the hour arrive when they, too, must unwillingly follow after?

Should that hour come, the history of our American Republic will never again stand high in the council chambers of justice and tolerance. Democracy will suffer deeply by it. The forceful evacuation of citizen Americans on the synthetic theory of racial fidelity—"Once a Jap, always a Jap"—would be an indictment against every racial minority in the United States. It would usher in the bigoted and misguided belief that Americanism is a racial attribute and not a national symbol. The scar that will be left will be broad and deep—a stigma of eternal shame.

We must stand shoulder to shoulder in these critical hours. National unity is not best served by discriminating against a segment of the citizenry merely because of physical differences. It would be well to remember that the Nisei Americans and their alien parents have contributed generously and are continuing to contribute in like fashion to the cause of national defense. In spirit, we are Americans.

Mr. Arnold. How much circulation does Current Life have?

Mr. Omura. We have approximately 500. This circulation, may I add, is made up of American people as well as Nisei. We have been driving into the American field to present what we believe is our problem to them and have not been concentrating so much on our own people because we believe they know the problem just as well as we do.

(The following material was received subsequent to the hearing and accepted for the record.)

Mr. OMURA. It is doubtlessly rather difficult for Caucasian Americans to properly comprehend and believe in what we say. Our citizenship has even been attacked as an evil cloak under which we expect immunity for the nefarious purpose of conspiring to destroy the American way of life. To us—who have been born, raised, and educated in American institutions and in our system of public schools, knowing and owing no other allegiance than to the United States—such a thought is manifestly unfair and ambiguous.

I would like to ask the committee: Has the Gestapo come to America? Have we not risen in righteous anger at Hitler's mistreatments of the Jews? Then, is it not incongruous that citizen Americans of Japanese descent should be similarly mistreated and persecuted? I speak from a humanitarian standpoint and from a realistic and not a theoretical point of view. This view, I believe, does not endanger the national security of this country nor jeopardize our war efforts.

Let me here insert an editorial published in the San Francisco Call-Bulletin of December 17 and excerpts from which have appeared in various metropolitan dailies in the United States:

A PLEA FOR TOLERANCE

The war that every loyal Nisei American had dreaded and wished to avoid is upon us. We each are faced with the darkest and bitterest hours of our lives—and the supreme test lies before us. It is our duty—and it should be our wish—to prove the unflinching and unswerving loyalty that we have professed so often in the past. The sacrifice is indeed great, but our courage and our faith should be equal to the task.

Japan's act of aggression on American soil at Pearl Harbor and in the Philippines was a dastardly crime. It was a criminal assault upon an unsuspecting nation. We condemn it as a felonius and shameful attack. There can be no satisfaction until the forces of Imperial Japan are crushed—and they shall be crushed. American men and American resources will triumph in the end.

But in the confusion of national peril, we dread the flight of reason. It is our fervent hope that Occidental Americans will make some distinction between Nisei, who are citizens, and alien and enemy Japanese. We trust that they will not lose sight of the salient fact that American does not signify a racial trait but a national symbol. The loyal Nisei, many of whom are in the Army, deserve as much consideration as other fellow Americans. The bombs that fall on American soil peril their lives as well.

We recognize the fact that there are in our midst a number of Japanese, citizens as well as aliens, who constitute a threat to the security of our Nation. We firmly believe that such individuals should be interned, as they are being interned. We approve of those protective measures followed by the F. B. I. and the Secret Service and heartily endorse the course which they have invoked. We call upon every loyal Nisei to cooperate to the fullest with these agencies, for a traitor among us is an enemy to us as well. And may Almighty God be with us in these grave hours.

I believe that this editorial explains quite amply what a number of us Nisei sincerely think and believe. We cannot understand why General DeWitt can make exceptions for families of German and Italian soldiers in the armed forces of the United States while ignoring the civil rights of the Nisei Americans. Are we to be condemned merely on the basis of our racial origin? Is citizenship such a light and transient thing that that which is our inalienable right in normal times can be torn from us in times of war? We in America are intensely proud of our individual rights and willing, I am sure, to defend those rights with our very lives. I venture to say that the great majority of Nisei Americans, too, will do the same against any aggressor nation—though that nation be Japan. Citizenship to us is no small heritage; it is a very precious and jealous right. You have only to look back on our records in social welfare and community contributions to understand that.

May I ask the committee members if any or all of you are acquainted with the Nisei? I believe that much of this distrust of citizen Japanese is based on ignorance. It would seem more compatible in the sense of fair play and justice that we should not be prejudged and that racialism should not be the yardstick by which our loyalty is measured. Our words, in current times, have no meaning, and so I ask you to examine our records, for there I beleve that to a large measure, if not necessarily so, lies the true determination of our oft-questioned loyalty.

It seems to me that we are less fortunate than our alien parents. They, at least, are subjects of Japan and are entitled to recourse and redress through the Japanese Government. Not so is our case. We are but children of destiny—citizens by birth but citizens in virtually name only.

May I further state here that the above additional material would have been incorporated into the Tolan committee record in San Francisco had we been properly prepared.

Mr. Arnold. Now, Miss Okuma, you may proceed in your own way.

TESTIMONY OF CARYL FUMIKO OKUMA, MANAGING EDITOR, CURRENT LIFE, SAN FRANCISCO, CALIF.

Miss Okuma. I would just like to say something about the ammunition that has been collected as contraband by F. B. I. agents down the peninsula. I was down there on business for my magazine the other day, and it was called to my attention by my subscribers that a great many of the aliens were taken with contraband. I think that was due primarily because either proper instructions were not given to these people, or that those who did have the information had reported to the sheriff and the chief of police, and were told that they didn't want this so-called contraband. Most of it, I believe, was ammunition and equipment for sporting goods stores and they said, "We don't want to take that since they operate sporting-goods stores. How would they live if they didn't have this equipment to sell?"

So you see these aliens brought that in, but they said, "Oh, no. You can have it."

Then as a result of the last round-up by the F. B. I. agents they were interned on account of this contraband in their possession.

I would like to stress the point that cooperation should be more thorough on the part of the Federal Government and local authorities. If you are going to classify certain equipment as contraband there should be some way to notify these people to that effect.

This confiscating of contraband is a strike against the Japanese-Americans. Many of those Japanese-Americans live with their parents, who are aliens, and when newspapers publish facts about 5,000 bullets, or things like that, it is a black mark against the Japanese-

Americans. It doesn't give us a chance to prove our loyalty. For all we know, perhaps they did report them and they were turned back. I have had evidence that they were turned back.

As far as evacuation is concerned, I guess it is mostly the press propaganda that is sliding toward mass evacuation and it is picking up momentum. The Japanese-Americans can be questionable, if you are going to judge by our faces. I don't think it is fair at a time like this. We should be given a chance to prove our loyalty. I believe there should be some way, some method established by which we could be evacuated safely and without hardship in breaking up families unnecessarily.

Mr. ARNOLD. Thank you very much.

Mr. ABBOTT. Mr. Chairman, I should like at this time to offer for the record a group of exhibits from sources not represented by witnesses.

The CHAIRMAN. The exhibits will be made a part of the record. If there is nothing further, the committee will stand adjourned.

(Whereupon, at 6 p. m. the committee adjourned; subject to the call of the chairman.)

EXHIBITS

Exhibit 1.—Position of the American Legion, Department of California, on Enemy Aliens and Restricted Areas

The American Legion,
Department of California,
San Francisco, February 17, 1942.

Hon. John H. Tolan,
House Office Building, Washington, D. C.

Dear Congressman Tolan: Enclosed you will find copies of letters to Secretary of War Stimson and to General John L. DeWitt, together with resolution adopted by the American Legion war council of the Department of California. I believe the resolution represents the general feeling not only of The American Legion but also of all the loyal people in our State.

General De Witt has the authority to close certain streets and areas here in San Francisco in order to protect the loading of transports. In so doing he has exercised his authority as commanding general to establish martial law in a modified form, but to date the War Department and the commanding general have failed to take any adequate action concerning the two hundred thousand Axis aliens, agents and sympathizers who now reside in California.

As commander of the Department of California, and on behalf of our 75,000 members here in this State, I urge you to see that some immediate drastic action is taken which will eliminate all possibility of a repetition of the catastrophe which occurred at Pearl Harbor, which I feel, along with other Legionnaires, was made possible by the fifth column activities of the Axis aliens and agents residing in that Territory.

The American Legion, Department of California, has definitely placed the responsibility for the protection of our people and the vital defense industries in the State of California in the hands of the Secretary of War and the commanding general (John L. De Witt) of the Fourth Army.

With kindest personal regards—

Robert F. Garner, Jr.,
Department Commander.

The American Legion, Department of California,
San Francisco, February 17, 1942.

Hon. Henry L. Stimson,
Secretary of War, Washington, D. C.

My Dear Sir: The American Legion, Department of California, war council, at its meeting held in San Francisco, Saturday, February 14, passed a certain resolution, copy of which I am enclosing for your information.

As you will note from the resolution, the Department of California contends that the 200,000 Axis aliens who now reside within this State constitute a well organized fifth column, which force is a menace to our national security. We feel, also, that Fritz Weidemann and other capable Axis aliens have organized a perfect system wherewith to conduct the same sort of activities that made the Pearl Harbor attack a success.

The Department of Justice has done a good job as far as it has gone but its action to date is and has been entirely inadequate. We contend, also, that the problem is of a military nature and one which the Army rather than the Department of Justice should handle. The responsibility for the protection of this area has been definitely placed in the hands of Gen. John L. DeWitt and we believe that the War Department should order General DeWitt to take some immediate drastic action which will eliminate all possibility of fifth column espionage and sabotage in the State of California.

I have written this date to General DeWitt expressing these same ideas and am sending copies of this letter together with the resolution and my letter to General DeWitt to our California congressional delegation in Washington.

Very truly yours,

ROBERT F. GARNER, Jr.,
Department Commander.

THE AMERICAN LEGION, DEPARTMENT OF CALIFORNIA,
San Francisco, February 17, 1942.

Lt. Gen. JOHN L. DE WITT,
Commanding Fourth Army,
Presidio of San Francisco.

MY DEAR GENERAL: The enclosed resolution was passed by the American Legion war council at its meeting held in San Francisco, Saturday, February 14th, after much discussion had been heard concerning the Japanese, German, and Italian population now residing in the State of California.

It was the consensus of opinion that the problem of protection against all fifth column activities in this combat zone was purely one of a military nature and particularly concerned yourself as commanding general of the Fourth Army.

We of the American Legion believe that Fritz Weidemann and other capable representatives of the Axis group have established a well organized, well planned tactical set-up to conduct fifth column activities within our State. The fact that there are some two hundred thousand of these aliens in California leads us to conclude that, as I have wired you before, some immediate drastic action should be taken by the Army. We feel, also, that the Department of Justice has only scratched the surface of this problem and that its precautions are entirely inadequate.

I am writing to the Secretary of War along this same line as I have written you and am sending copies of both letters to our California congressional delegation in Washington.

Very truly yours,

ROBERT F. GARNER, Jr.,
Department Commander.

THE AMERICAN LEGION, DEPARTMENT OF CALIFORNIA,
San Francisco, February 16, 1942.

The following resolution was adopted by the War Council of the American Legion, Department of California, Saturday, February 14, 1942.

Whereas California has been designated as a combat zone, which presupposes the likelihood of enemy activity therein; and

Whereas the extent of the danger therefrom is known only to the Army and Navy whose responsibility it is to insure the safety of the area; and

Whereas there are, in the State of California, tens of thousands of enemy aliens living almost without restriction, and in a position to endanger the security of our State; and

Whereas the Army has taken some steps to control the activities of such aliens in small areas of the State; and

Whereas in the opinion of this council said action is in no sense sufficient to insure the protection of our State from sabotage and other fifth-column activities; and

Whereas the civil authorities of our State and local communities have neither the necessary information nor the jurisdiction essential to the adequate regulation of alien enemies; and

Whereas in the opinion of this council the solution of the enemy alien problem is one for the military rather than the civil authorities; now, therefore, be it

Resolved, That the American Legion, Department of California War Council, assembled in meeting at the War Memorial Building, San Francisco, this 14th day of February 1942, does recommend as follows:

1. That the military authority in this combat zone should be extended to every part of California deemed by the Army to be vital to the security of this State; and

2. That all alien enemies and other persons suspected of subversive activities be removed from the area or subjected to such mode of living as will, in the opinion of the military authorities, adequately guarantee the security of life and property in California.

ROBERT F. GARNER, Jr.,
Department Commander.

Attest:

JAMES K. FISK,
Department Adjutant.

EXHIBIT 2.—RESOLUTION URGING THE EVACUATION AND CONCENTRATION OF ALL JAPANESE AND THEIR DESCENDANTS TO A CONCENTRATION CAMP UNDER SUPERVISION OF THE FEDERAL GOVERNMENT

Whereas since the 7th day of December 1941 the United States has been at war with Japan; and

Whereas during the attack on Pearl Harbor on December 7, 1941, the Japanese were aided and abetted by fifth columnists of the Japanese race living and residing in and about Pearl Harbor; and

Whereas there are located along the Pacific coast more Japanese than in all other States of the Union combined; and

Whereas it is impossible to know those enemy Japanese who are loyal to the United States from those who are disloyal; and

Whereas, the State of California is one of the first States in production of essential products, and its products are absolutely and vitally essential to the successful war efforts; and

Whereas the temper of the people of the Pacific coast has risen to such a point that it is becoming dangerous for loyal enemy aliens to reside in close proximity to the Pacific Ocean; and

Whereas by reason of their situation, the Military and Naval Establishments, the war industries and natural resources are in the most critical situation of any part of the Union; and

Whereas all Japanese persons residing in British Columbia have been removed from the Pacific coast line; and

Whereas all Japanese persons residing in Mexico have been removed from the Pacific coast; and

In order that those enemy aliens and their descendants who are now disloyal, or may become disloyal, to the United States, may be taken to a point where they can do no damage to the State of California and the United States;

Now, therefore, on motion of Director W. J. Buchanan of Contra Costa County, seconded by Director W. O. Russell of Yolo County, and unanimously carried; Be it

Resolved by the board of directors of County Supervisors Association of California, assembled in meeting in Sacramento, State of California, this 20th day of February, 1942, That we go on record as urging the Attorney General of the United States, and the Department of Justice of the United States, that all alien Japanese and their descendants be forthwith evacuated to a concentration camp under the supervision of the Federal Government; Be it further

Resolved, That a copy of this resolution be mailed to the President of the United States, Secretary of State, Secretary of War, Secretary of the Navy, and the Attorney General of the United States; and a copy to the two Senators representing the State of California in the United States and to each Congressman representing the Pacific Coast States in the House of Representatives, and the Commandant of the Twelfth Naval District, and General DeWitt, United States Army, Presidio, San Francisco, Calif.

COUNTY SUPERVISORS ASSOCIATION OF CALIFORNIA.
[SEAL] By ROBERT W. LEFEVER, *President.*
By J. H. HUNTER, *Secretary.*

EXHIBIT 3.—RESOLUTION OF THE SAN BENITO COUNTY CHAMBER OF COMMERCE, E. E. SPARLING, PRESIDENT, HOLLISTER, CALIF.

FEBRUARY 11, 1942.

Whereas the cowardly and dastardly attack by Japan on the armed forces of the United States at Pearl Harbor and the subsequent declaration of war by the United States on Japan and the Axis Powers has made the citizens of San Benito County aware of the presence of enemy aliens, particularly Japanese, and un-American Japanese citizens holding dual citizenship with the Japanese Empire; and

Whereas raids conducted by the Federal Bureau of Investigation in the adjoining counties of Monterey and Santa Cruz within the past few days disclosed the indisputable fact that enemy aliens, particularly Japanese, had in their possession an appalling quantity of contraband articles including firearms, weapons, ammunition, cameras, short-wave radios, and like apparatus, in defiance of rules and regulations established by the Federal Government when this region was designated as a combat zone; and

Whereas it is well known to the citizens of San Benito County that resident enemy aliens, particularly Japanese, and their descendants known as Japanese-American citizens, suspected of holding dual citizenship with the Empire of Japan, have in their possession and control in this county, farm equipment consisting of heavy and light trucks, tractors, tools, and other equipment which could be used by said aliens most effectively destroying and damaging highways, bridges, railroads, and communication, water, power, gas, and oil lines within this county as effectively as was the case at Pearl Harbor, in event of an invasion by our wartime enemies or as a separate act of sabotage which might be committed at any time; and

Whereas it is noticeable that the actions of most enemy aliens, particularly Japanese and their descendants, are not now, nor have they ever been, such as would lead us to believe that in event of an emergency, or at a given opportunity, they would maintain strict neutrality or be loyal to the United States of America; and

Whereas a large part of this county is devoted to agricultural crops and grazing lands which become highly inflammable during the early summer, which is fast approaching, and would afford a most favorable opportunity for these enemy aliens and disloyal citizens to stage a disastrous and widespread conflagration, and

Whereas numerous requests have been made to this body that it take immediate action in urging and requesting the proper authorities to take immediate action to prevent the repetition of the Pearl Harbor incident or a worse disaster, and

Whereas it is well known that the American people do not wish to be unfair or unjust to the loyal American-born Japanese-American citizens but do wish to be protected against any and all disloyal Japanese-American citizens, and

Whereas it appears to this body that in view of the seriousness of the present war with the Japanese Government and the lack of time in which to carefully evaluate the standing and loyalty of the American-born Japanese-American citizens that both the alien Japanese and the Japanese-American citizen should be removed from the entire Pacific coast for the proper defense of our Nation; therefore, be it

Resolved, That the San Benito County Chamber of Commerce does and it hereby urges that the proper civil and military authorities take immediate action to cause the removal of all enemy alien citizens and Japanese-American citizens from the entire Pacific coast area; and be it further

Resolved, That copies of this resolution be sent to commanding officers of the Army and Navy, the Federal Bureau of Investigation, to each Senator and Representative from California in the Congress of the United States, to the Governor of California, the Adjutant General, and the Attorney General.

EXHIBIT 4.—RESOLUTION RE DISPOSITION OF JAPANESE ENEMY ALIENS

REPORT BY LESLIE A. CLEARY, CHAIRMAN STANISLAUS COUNTY DEFENSE COUNCIL, MODESTO, CALIF.

At a meeting of the Stanislaus County Defense Council on Friday, February 6, 1942, the following resolution was unanimously adopted:

Whereas the State of California, because of its geographical location is of immense strategic importance in a war with Japan; and

Whereas more war industries and manufacturing plants are located in the State of California than in practically any other State in the Union; and

Whereas the large part of the entire Japanese alien population of the United States is located in the State of California; and

Whereas it is essential for the protection of the people, industries, and property of this State that some immediate effective and orderly plan be adopted for eliminating danger of sabotage and fifth column activities: Now, therefore, it is hereby

Resolved by the Stanislaus County Defense Council in regular meeting assembled as follows, to wit:

1. That the Federal Government of the United States through its proper agencies should take immediate steps to remove all Japanese enemy aliens from the territory in the State of California within 200 miles of the Pacific coast line;
2. That said Japanese enemy aliens so removed should be placed in some suitable portion of the United States where they may be kept under constant surveillance and cared for in such a way as to eliminate as far as possible the possibility of a repetition of the fifth column activities that occurred at Pearl Harbor;
3. That this defense council respectfully requests that the President of the United States, the Attorney General of the United States, and all other responsible officials take action on this matter without further delay;
4. That a copy of this resolution be sent to the President of the United States, the Attorney General of the United States, all Senators, and Congressmen representing the State of California, and to other county defense councils and to ex-service men's organizations in the State of California.

EXHIBIT 5.—A RESOLUTION ADOPTED BY THE FRESNO COUNTY CHAMBER OF COMMERCE IN RELATION TO THE JAPANESE AND ALIEN ENEMY SITUATION ON THE PACIFIC COAST

Whereas there now seems to be a tendency on the part of authorized Federal agencies to remove certain aliens from vital defense areas into other sections of the Pacific slope without proper supervision and surveillance, thereby intensifying the already acute problem; and

Whereas investigation by local, State, and Federal officers have unearthed an amazing amount of evidence in the Pacific coast area establishing clearly the presence of fifth-column activities by alien enemies and disloyalty among American-born Japanese, creating a situation of a most explosive nature; and

Whereas even now the San Joaquin Valley, with its military posts, important railroad and highway systems, rich oil fields, great expanse of highly inflammable grain fields, foothill pasturelands and mountain watersheds, containing valuable timber and essential hydroelectric development, is receiving known alien enemies, who because of the lack of proper restraint could in a few hours wreck vital defense activities and destroy much farm produce needed in our all-out effort: Now, therefore, be it

Resolved, That the board of directors of the Fresno County Chamber of Commerce, an organization representing business, professional, and agricultural interests in the central San Joaquin Valley, urge Federal authorities to remove from the Pacific Coast States all Japanese and aliens of other countries now at war with the United States to a restricted area eastward where their activities and influence could not affect the national defense effort; and be it further

Resolved, That in the interest of national defense and the prevention of possible local disorders that those American-born Japanese who are loyal to the flag of the United States, be urged to lead the movement of their countrymen and alien enemies from the Pacific coast areas to designated points beyond the zone of effective sabotage thereby proving conclusively their loyalty as American citizens; and be it further

Resolved, That a copy of this resolution be forwarded to the California Congressmen and Senators, to Attorney General Francis Biddle, and military authorities on the Pacific coast and officials of Japanese and other alien organizations.

EXHIBIT 6.—STATEMENT BY HARRY L. KINGMAN, GENERAL SECRETARY YOUNG MEN'S CHRISTIAN ASSOCIATION OF THE UNIVERSITY OF CALIFORNIA, BERKELEY, CALIF.

MARCH 2, 1942.

I have read your excellent statements regarding the necessity of treating Axis aliens and their descendants with fairness. It seems important from the standpoint of our own national welfare as well as from their own personal well-being that this policy be followed. It is likely that your position will meet with criticism from some but I hope that you will maintain it nevertheless.

Federal appointment of a national coordinator and of an alien property custodian appears absolutely essential. I hope, too, that all those who are evacuated as a precautionary move will be generously aided by the Government—they should be financed whether or not they possess savings which they could use. Certainly their moving and their placement in some self-sustaining economy should be the responsibility of some agency such as the Federal Security Administration—it is unthinkable that they be left to shift for themselves. Furthermore, all those who are not considered potentially dangerous should be enabled to remain within their own family units. Some provision for exceptions in behalf of evacuees who are proven loyal should also be made.

This would seem to me to be a minimum provision for the needs of these unfortunate people if our national future is not to be seriously harmed. I am glad that you and your committee could come to the west coast at this critical time. I am sure that you will have a great deal of support throughout the Nation in urging the type of program I have outlined.

I am especially hopeful that the Federal Government will see to it that evacuated college students and high-school seniors are enabled to continue their education in colleges outside prohibited areas.

When the war emergency is over we'll be better off if these potential leaders of Japanese ancestry possess the training and the morale to restore themselves and their fellow evacuees to a normal and productive place in American life. Scholarships should be provided through Federal grants.

EXHIBIT 7.—THE QUESTION OF TRANSFERRING THE JAPANESE FROM THE PACIFIC COAST—AN EXAMPLE OF WAR HYSTERIA AND A PLEA FOR SANITY IN THE PRESENT CRISIS

REPORT BY ERIC C. BELLQUIST, PH. D., OF THE DEPARTMENT OF POLITICAL SCIENCE, UNIVERSITY OF CALIFORNIA

On the night before the United States entered World War I, President Woodrow Wilson spoke the following words to Frank I. Cobb: "Once lead this people into war, and they'll forget there ever was such a thing as tolerance. To fight you must be brutal and ruthless, and the spirit of ruthless brutality will enter the very fiber of our national life, infecting the Congress, the courts, the policeman on the beat, and the man on the street. * * * Yes, it means that we will lose our heads along with the rest, and stop weighing right and wrong." As the members of the committee will recall, what President Wilson predicted soon developed and that despite his efforts to meet the danger.

A score of so-called patriotic leagues and societies sprang up, and whatever their original purpose, in the end they appealed to the basest in human nature. Reckless rumors, designed to breed distrust and fear, were their principal stock in trade, and under such inspiration a wave of hysterical suspicion swept the country. Even our most reputable newspapers aided by the publication of gross exaggerations or downright fakes; and, tragically enough, clergymen and educators were as prolific a source of hate as the "patriotic" organizations. As a result, thousands of our citizens, mostly innocent, were the victims of unjust suspicion, ostracism, and, in aggravated cases, of persecution. The horrors of our domestic scene in 1917–18 should have been a warning of what happen when America went to war again. Hysteria is well-nigh inseparable from war, or even talk of war, and hate follows inevitably, for its simplicity makes an almost irresistible appeal to certain types of mind.[1]

HYSTERIA AND HATE

There was already ample evidence of this before we entered the war. When I returned from Europe in the autumn of 1940, after spending the first year of the war over there, I was astounded at the hysteria and hate which had arisen here at home. There was nothing like it in Finland during the magnificent fight I was able to follow at close range in 1939–40. There is nothing like it in the two remaining democratic states on the Continent—Sweden and Switzerland. These two little countries are completely surrounded by brutalitarian forces and almost daily condemned over the German radio and in the Nazi press. Yet in neither of them is there any fear or hysteria. Certainly they wonder if the maelstrom will not also seek to engulf them, but that does not cause them to resign themselves to whatever fate may have in store. On the contrary, they are arming to the limit of their ability, resolved to face what the future holds, and continuing to practice democracy. Surely we have not read of any hysteria in Great Britain, where, instead, a morale has been builded such as hardly anyone could have anticipated before Dunkerque.

Coming home, however, I was struck by an unparalleled case of jitters on the part of the American people, which was producing an onrushing wave of repression. All varieties of infringements of civil liberties were popping up throughout the country, and the general nervousness was reflected in the Congress and even in the courts. A regular disease of "fifth columnitis" appeared to be prevalent. As President Robert Gordon Sproul, of the University of California, put it in an address to the California Newspaper Publishers' Association at Del Monte in January 1941, "the rising tide of fear in this country, pulled by the twin moons of depression and aggression, has already made precarious many of the civil liberties which we have hitherto taken for granted."

In repeated addresses before audiences in various parts of California I have stressed this problem. I have stressed it because I feared that unless the leaders of our communities gave this problem immediate and intelligent consideration there would be much trouble—much that we would later have cause deeply to regret. To the members of the committee, moreover, I would stress that it is not just a California or Pacific coast problem. Of course, now there are those who maintain that at a time like the present such things as civil liberties will have to be set aside. The true American, however, will remember that, whether it be peacetime or wartime, there could be nothing more unpatriotic in this land of many peoples and many creeds than the persecution of minorities and the formation of hatred and strife on the basis of race or religion. As Justice Frank Murphy has stated, he will also realize that if, in the atmosphere of war, we allow civil liberty to slip away from us, it may not be long before our gains in social and economic justice will also have vanished; for a nation that is calloused in its attitude toward civil rights is not likely to be sensitive toward the many grave problems that affect the dignity and security of its citizens.[2]

We must not be oblivious to what is becoming one of the most disturbing factors in the present crisis. Certainly few things are ever quite so dangerous to civil liberties as a patterned patriotism on the loose, no matter how high and pure the aims and motives of those who shape it. What must everlastingly be driven home is that the intolerances of native prejudices are just as much a part of subversive activity as Japanese sabotage, Nazi spies, and Communist intrigue. We must guard against this today, because there is no way of making reparations for pain and shame. We must guard against it because it is one of the most disruptive factors in the morale which we are trying to build.

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[1] George Creel, Beware of the Superpatriots, American Mercury, September 1940, 33–41. This theme is further developed in the writer's On the Position of Our Democracy in the Present Crisis, Los Angeles, 1941.

[2] See the address of Justice Frank Murphy, then Attorney General of the United States, October 13, 1939, reprinted in the Appendix of the Congressional Record, October 16, 1939, extension of remarks of Charles H. Leavy.

DISCRIMINATION

But let me be more specific. As the committee has had ample evidence already, popular resentment toward the enemy is already finding expression in discrimination and even physical violence against fellow residents of alien extraction; distrust, for example, of the Japanese government being transferred to all persons of Japanese race, citizens and aliens alike.

Here on the coast we have a radio commentator who views the news at 9 o'clock in the morning. For some time he has been urging that every Japanese, alien or citizen, be transplanted to the other side of the Rockies. In appeal after appeal he has incited the people and aroused their suspicion. We have a former far eastern newspaper correspondent who, toward the end, had difficulties in Japan and has since been reviling the Japanese in our country and urging restrictive action of far-reaching scope against both aliens and citizens. We have certain interests in the State—some agricultural, some "patriotic," some closely affiliated with certain newspapers—which have long been hostile to orientals in general as well as other aliens, and which have now found a golden opportunity to come out against the Japanese on the Pacific coast. City councils and county boards of supervisors have been passing restrictive ordinances, petitioning the Congress to enact legislation against our Japanese, and in many respects to take over functions properly belonging to the National Government. The mayors of our two largest cities, as well many smaller ones, have lost their composure along with the rest. The State personnel board at Sacramento has sought to take action contravening the Constitution as well as the expressed sentiment of our highest officials, including the President.

Altogether, as the committee has witnessed, the State of California, as well as Oregon and Washington, has been giving a demonstration of lack of balance and outright intolerance which will blacken its record for many years to come. If our public authorities have thus succumbed to hysteria, one can well understand, if only deplore, the housewives who dismiss Japanese gardeners and servants and farmers who discharge help because of citizenship or extraction. On the whole, the public has not shown so much hate or spite, except as it has been incited to do so. But pressure groups and shortsighted politicians facing an election year are out for blood and wholesale internment. Jingoes are endeavoring, under the cover of wartime flag-waving patriotism, to do what they always wanted to do in peacetime—get rid of the Japanese, harness labor, and frighten the liberals, as Louis Fischer has just pointed out in one of his reports from the coast.

From the hearings which the committee has conducted, I am sure that its members must have obtained a suspicion that the attitude which now prevails cannot be a matter of mere chance; that it is rather the result to no small extent of organized pressure. Certainly the course of events would appear so to indicate.

Despite the treacherous nature of Japan's attack on Pearl Harbor, there was no immediate reaction of suspicion of aliens in California. While at the outset our people were naturally somewhat confused and alarmed at the events of early December, there was little hysteria. Californians kept their heads remarkably well. There were few if any serious denials of civil rights to either aliens or citizens of Japanese race on account of the war. As late as December 29, 1941, the Northern California Committee on Fair Play for Citizens and Aliens of Japanese Ancestry [3] could issue a statement expressing general satisfaction with the manner in which the American tradition of fair play had been observed. As its release of that date indicated, all the organs of public influence and information had discouraged mob violence and pleaded for tolerance and justice for all law-abiding residents of whatever race. Federal and local officials charged with maintaining order and suppressing subversive activities had shown both vigor and sympathetic consideration in the fulfillment of their duties, and private civic agencies had acted promptly to handle the many difficulties encountered by Japanese residents on account of necessary wartime restrictions on persons and property.

In brief, up to the end of the year, there had been no panic and little infringement upon rights and liberties. The people were calm and went about their business in getting ready to face the war, maintain morale, and put forth the common effort necessary to meet and defeat the forces of brutalitarianism.

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[3] This committee is headed by Gen. David P. Barrows and has as its honorary chairman, Gov. Culbert L. Olson. Among its distinguished members are Presidents Reinhardt, Sproul, and Wilbur, Chester H. Rowell, J. S. Curran, C. C. Young, George G. Kidwell, and Mrs. Wallace Alexander.

CLAMOR FOR RESTRICTIVE MEASURES

This sound common-sense American attitude of doing the job and paving the way for victory was not allowed to continue, however. In January the commentators and columnists, professional "patriots", witch hunters, alien haters, and varied groups and persons with aims of their own began inflaming public opinion. Reason was not to be allowed to prevail. Clamor for un-American restrictive measures became rife. The ancient western curse of vigilante rule was once more raising its head.

This is not to say that public opinion had previously been complacent. California and the coast was fully aware that more care should have been exercised long ago, that in case of war there were many potential saboteurs in our midst, and that traditional American freedom of movement and lack of suspicion might easily lead to instances of sabotage and treachery. At the same time, there was confidence in our public authorities. There was appreciation of the fact that even before the war and all the more after its outbreak the Federal Bureau of Investigation as well as Military and Naval Intelligence were doing their duty, and that most of those who might become dangerous were known and would be taken care of. There was realization of the fact that through cooperation with the leaders of the minority groups the duly constituted authorities could most effectively deal with the problem. Our citizens generally, moreover, were themselves helpful and cooperative. Instead of thinking of taking matters in their own hands, they communicated with those properly charged with the apprehension of subversive elements.

In short, there was no popular clamor for comprehensive restrictions or mass evacuation. Not until inflammatory commentators on the "enemy-alien menace" undermined popular confidence did the present hysteria arise. I cannot believe that this is just a matter of chance. The committee will do well to endeavor to ascertain just what lies behind present clamor. What are the real motives?

The appraisal which I have here made has been confirmed by several of the more thoughtful witnesses appearing before the committee. It is shared by most persons who are really familiar with the problem and have no ax to grind, persons farsighted enough to consider the Nation's interest in the future as well as the present. I take the liberty to quote, in this regard, from a letter which I received from Mr. Philip Bancroft, prominent California agriculturist and former Republican candidate for the Senate from this State. Written on February 14, this letter comments upon a plea for tolerance which I made some days earlier and which was given some publicity over the wires of the Associated Press.

"MY DEAR PROFESSOR BELLQUIST: I want to congratulate you upon the fine stand you have publicly taken as to the attitude our people should assume toward enemy aliens within our borders.

"In going about the country districts I have been gratified to find much more of sympathy and understanding for the plight of these unfortunate people than would generally be expected from what appears in the papers.

"Apparently most of our politicians think they can increase their popularity by attacking these people who have very few defenders rather than by leaving the handling of the subject to the Federal Bureau of Investigation and the War Department, and then backing up those two agencies 100 percent in protecting our country against the danger from those few enemy aliens who constitute a real threat.

"Your fearless stand will be of great value, not only to those aliens but even more to our own citizens, by preventing some of them from committing foolish and cruel acts which they would later deeply regret."

Several of our more responsible newspapers have written thoughtful editorials against the current trend. By the unfortunate headlining and sensational play which the whole press has given the situation, however, it has greatly contributed in promoting the prevailing hysteria and fear. Indeed, in speaking with many of the Nation's educators attending their national conferences being held in San Francisco at the same time as your committee was sitting, I ascertained that many of them definitely received the impression that we had completely lost our composure out here. Some of them wondered if it would be safe to remain for their sessions, and it is a matter of fact that not only have tourists been frightened away but some of our own people have given thought to moving inland because they are convinced that if California can thus easily allow its emotions to prevail against reason it will be safer to live elsewhere in the event a crisis should really come.

CONGRESSIONAL SPEECHES

The problem is more than a California or Pacific coast problem, however. As the committee has good reason to know, already the authorities of most of the Western States have given evidence of succumbing to similar fear and hysteria. Moreover, the Congress itself has given indications along the same line. On February 18, for example, Representative Rankin, of Mississippi, stated on the floor of the House that the west coast was teeming with spies and fifth columnists. "Once a Jap, always a Jap," asserted Mr. Rankin, whose State certainly does not have many aliens in its midst, although the gentleman from Mississippi might well accord his attention to the large suppressed minority which does exist there. Even so, Mr. Rankin announces: "I'm for taking every Japanese * * * and put him in a concentration camp." [4]

By February 23, Mr. Rankin has become even more concerned. Now he sees the Japanese stirring up so much race trouble among the Negroes in Harlem "that the city authorities have entirely lost control." Moreover, "they are behind this drive to try to stir up trouble between the whites and the Negroes here in Washington." The gentleman from Mississippi then proceeds to place himself above the Constitution of the United States and decisions of the Supreme Court in declaring that Japanese born in this country actually are not citizens at all, but instead "are aliens in our midst and should be deported at the earliest opportunity." [5] Moreover, while your committee has been holding its hearings here on the coast, a bill has been introduced to establish this novel doctrine and the regular House committee is now holding hearings on it.

AMMUNITION FOR NAZIS

I am sure that all of the members of your committee fully realize the implications of what I have stated above. I am sure that you all realize that by such actions we are diametrically opposing everything for which this country stands in this war. We are assisting in destroying the unity which we now must have. We are copying the very methods of Hitler and the substitution of the term "reception center" for "concentration camp" does not alter this fact. We are furnishing both the Nazis and Japanese with propaganda material which may easily strike a responsive chord among the peoples of Asia and have much to do with making our winning of the war more difficult. We are opening the door for retaliation against thousands of our own citizens now situated in occupied and conquered countries. We are also opening the portals for doubt in the minds of millions of subjected people who are only awaiting the massing of our strength to join us in the common effort against the enemy. We all realize, I think, that it is a war of aggression against the democracies, not only physically and materially, but also against democratic ideals—free speech, free institutions, dignity and security for the individual. But if the democratic countries are to win this war, they have to show that, not only does democracy mean what it says, but that it knows how to put into effect what it says. We have to convince the world that we mean what we say and that we know how to put into effect what we say. Does our handling of the alien and citizen situation on the Pacific coast give very comforting demonstration of this?

Moreover, we have anti-Negro, anti-Catholic, anti-Semitic, as well as anti-alien groups in this country. There is no little latent feeling of racial, ethnic, and religious prejudice and conflict in our midst. Once let loose a movement against one minority group, such as our Japanese or Italian citizens and aliens, and the floodgates are open for blind hatred also against other minority groups. On all of this, furthermore, our enemies can play; in fact, are already playing. These tensions may easily be exploited for the purposes of stimulating and fostering disunity leading to internal paralysis. Axis propaganda against us is based upon a detailed analysis of the American character structure, with most astute diagnoses of its abundant weaknesses. It tries to set into motion subtle programs, not only to make our minorities self-conscious and to impregnate them with an oppression psychosis, but also to set one minority against the other—Gentiles against Jews, Protestants against Catholics, and whites against Negroes. We must realize, furthermore, that among the many marginal people in our midst—not least of all the Negro—the feeling of being rejected, or not being wanted, creates in each instance a center of morale infection, and every such area is the more vulnerable to some phase of Axis propaganda.

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[4] Congressional Record, February 19, 1942, A691–692.

[5] *Ibid.*, February 28, 1942, A839–841.

The accentuation of our differences which is now going on may very well become one of the most insidious factors in the sapping of our national strength. We cannot possibly mobilize our full potential force as a nation to fight the enemies from without if we must dissipate our strength and divert our passions toward a largely imaginary enemy within. By allowing racism and antialienism to flourish, we will deflect our attention from those recruiting stations of the fifth column which are far more dangerous than our racial minorities and our immigrant groups.

The above assertions are made in all seriousness. As has been indicated, I was in northern Europe during the first year of the present war. I personally experienced the Nazi onslaught in Scandinavia in the spring of 1940. That part of the world, moreover, constitutes the special field of my research. I am as familiar with it, in some respects, as I am with my own country. I mention this only to give more support to what I am going to state now.

NORWEGIAN SITUATION REPRESENTED

Much of the emphasis now given to so-called fifth columns is based on what was reported to have been the situation in Norway. The story of the fifth column in Norway, however, is largely fiction woven by irresponsible and sensational reporting by journalists who did not understand Norwegian, who had no knowledge of the country, and who substituted gossip and rumor for the information they could not obtain. This is not the place to analyze the true situation, but I would say that the attitude of the Norwegian people during and after the Nazi invasion constitutes a complete refutation of the fifth-column accusation.[6] The way for the invaders was not prepared by Norwegians. Norway was not betrayed from within. The occupation was, in no real sense, an inside job. It was not made easy by Norwegian connivance. Far from having reason to be ashamed of her own people, Norway can be proud of what they did when the test came. It is important that this be realized. As the members of the committee undoubtedly realize, in every country that has fallen before the overwhelming force of the enemy, stories are at once spread that the victory has been the result of treachery. Nothing more demoralizes a people than rumors that they have been betrayed by their neighbors, by members of their own government, even by officers in their defense forces. Such rumors are in effect a most effective Axis propaganda weapon and should be considered as such, instead of an explanation for the fall of countries before superior organization, complete surprise, and greater military strength. In the case of Norway, they were largely untrue. Elsewhere also there was probably less activity of this kind than the sensational accounts which have appeared in our press, accounts at times also dignified by official approval.

By fifth columnism I refer to treachery on the part of natives or trusted aliens long established and respected in a country. Of that we have few verified examples in Norway or other defeated countries for that matter. Unrestrained espionage on the part of agents of the enemy is another matter. Systematic activity of that kind has preceded almost every enemy attack—from Norway to Pearl Harbor, and since. That, however, is a matter for the proper authorities to handle. It is no matter for individual or group hysteria and fear. Actually, as I see it, it is a cruel injustice to blame the Norwegian, Dutch, Belgian, French, and other peoples for the crimes of Germany or Japan. It suits Hitler's purpose perfectly for others to believe and spread stories that the democracies were ratted with treachery from within. The Germans and Japanese work chiefly with natives from their own countries in their propaganda and espionage efforts. They use disgruntled native citizens when they can find them at times, but in the last analysis they rely on their own agents, as they did in Norway, as they would in this country if the opportunity came.

Contrary to popular impression, then, country after country has not fallen because of the fifth column. Even in Pearl Harbor is this true. Secretary Knox to the contrary notwithstanding, fifth columnism and sabotage actually had little to do with that debacle. Espionage paved the way, to be sure, but for that we should blame our own laxity and not elderly Japanese residents long established in Hawaii or Nisei with no loyalty save that to the country in which they were born and whose flag is the same glorious Stars and Stripes that flies from the dome on Capitol Hill. If some day the Pacific coast should meet the same fate that has been that of so many parts of the world it will not be because of treachery on the part of our people here—Japanese, Italians, or Germans. It will be rather because we have not sufficiently profited from mistakes elsewhere, because we have not adequately prepared. No one has better stated this than the eminent French Catholic philosopher, Jacques Maritain. He writes: [7]

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[6] Among the recent books giving a more accurate account of what happened in Norway are C. J. Hambro, I Saw It Happen in Norway, 1940; Herman K. Lehmkuhl, The Invasion of Norway, 1940; Halvdan Koht, Norway Neutral and Invaded, 1941; J. Worm-Muller, Norway Revolts Against the Nazis, 1941; and Sigrid Undset, Return to the Future, 1942. An article by Edvard Hambro, Fact and Fiction in the Norwegian War, published in the American-Scandinavian Review, 1940, effectively refutes the most exaggerated tales published in our press.

"The great mistake of the democracies was that they did not believe in the war even when it was there, that they imagined the war could be won without being fought, that they counted on time and the blockade to bring to terms madmen who were armed to the teeth, that they complacently accepted the notion of a war of limited liability, cheap in blood as well as in money."

Apply that to France. Apply it to England also. And apply it above all to the United States. Brutalitarianism cannot be defeated that way.

At the outset of this statement reference was made to the hysteria of the first World War. We still remember the notorious Palmer raids of that period. On the way home after attending the first day of the committee's hearings in San Francisco, two other members of the University of California faculty and I were discussing that story. Suddenly one of them remarked: "Why, what we have been listening to today—the proposals made by some persons before the committee—are far worse than anything that transpired during the World War and I have always believed that what happened then could not possibly occur again." He was right. During the last war there were at least 2,000,000 enemy aliens in this country and several million naturalized citizens from Germany and her allies. Yet only 6,000 were adjudged sufficiently disaffected to be detained under Presidential warrants, and a large percentage of these were soon released. Surely our population should be more homogeneous now than then. Before the World War more than a million immigrants arrived to the United States annually. Our population contained huge elements which had but recently come here; we had paid little attention to the Americanization process; our schools were far fewer, and educational opportunities far more restricted than has been true during the last quarter century. Surely there must have been far more reason then to be alarmed over the homogenity of our people and their unalloyed loyalty than is the case now. Yet then we apprehended only 6,000 and detained only some of these.

Since the World War our immigration has been selective and strictly limited. Our Americanization process has been greatly expanded. Our educational facilities have been developed tremendously. Moreover, for years we have had the revolting spectacle of brutal aggression flaunted before us by the Japanese, Italians, and Germans. All of these factors must have contributed to some progress—toward a somewhat greater welding together of our people than could have been accomplished prior to 1917. And yet testimony before your committee appears to discount all this—to suspect and wish to crucify tens of thousands now instead of a handful then. Can it really be true that we have so little faith in America?

It may be stressed also that steps taken by local authorities and private groups and individuals and the more severe action advocated by many before the committee are directly opposed to the pronounced position of the President of the United States and the head of the Department of Justice.

EMPLOYMENT OF ALIENS

On January 2, 1942, for example, President Roosevelt urged us to take a sane policy regarding aliens and foreign-born citizens. That we could do otherwise towards our own native citizens hardly occurred to the President. Among other things, he stated:

"I am deeply concerned over the increasing number of workers who are being discharged because they happen to be aliens or even foreign-born citizens. This is a very serious matter. Such a policy is as stupid as it is unjust, and on both counts plays into the hands of the enemies of American democracy. It engenders the very distrust and disunity on which our enemies are counting to defeat us. Remember the Nazi technique: 'Pit race against race, religion against religion, prejudice against prejudice. Divide and conquer.' We must not let that happen here. We must not forget what we are defending: Liberty, decency, justice."

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[7] A Travers Le Desastre, 1941.

The Attorney General of the United States has repeatedly spoken in the same vein. In an interview shortly after taking office, Mr. Biddle remarked:[8]

"In tense times such as these, a strange psychology grips us. We are oppressed and fearful and apprehensive. If we can't get at the immediate cause of our difficulties, we are likely to vent our dammed-up energy on a scapegoat. That scapegoat may be someone whose views are contrary to our own. It may be someone who speaks with a foreign accent, or it may be a labor union which stands up for what it believes to be its rights. That sort of psychology is the very essence of totalitarianism. On the other hand, civil liberties are the essence of the democracy we are pledged to protect. Insofar as I can by the use of the authority and influence of my office, I intend to see that civil liberties in this country are protected; that we do not again fall into the disgraceful hysteria of witch hunts, strike-breakings, and minority persecutions which were such a dark chapter in our record of the last World War."

On several occasions since our entry into the war, the Attorney General has indicated his intention to continue this enlightened attitude. In the current number of Collier's, for example, he writes:[9]

"All alien enemies could be incarcerated for the duration, were such a course considered wise. But it was determined to be more in accordance with our American tradition, wiser, more humane, to hold only those who were dangerous to our safety, or who might become so. Others are being paroled, some released. * * * Surveillance will last through the war. It will be very strict as far as it goes—alien enemies must keep us informed as to exactly where they are and what they are doing. They are not allowed to possess firearms, cameras, short-wave radios. Their travel is restricted. But otherwise their lives should continue normally as before. * * * Many must suffer this temporary inconvenience so that a very few will have no scope for treachery. But except for those very few, there is no reason to suppose that so-called alien enemies are disloyal. The United States is their adopted country, and most of them have chosen to live here because they loved our ways and longed for our opportunities. * * *"

The viewpoint expressed here by the Attorney General is exactly that which is held by myself and which is the theme song of this statement. In further support of this thesis might be cited the attitude in Hawaii, where there is a far greater percentage of Japanese aliens and Nisei than anywhere on the Pacific coast. The same issue of the above-cited periodical from which Mr. Biddle's article was quoted contains a story on The New Honolulu, written by the mayor of that city, Lester Petrie. Mayor Petrie somehow gives the impression of looking much more calmly and sensibly on this whole problem than the heads of so many Pacific coast municipalities. So do the people of the territory in general. "There is no hysteria, no persecution—only intent watchfulness." One of the illustrations accompanying the article shows Governor Joseph B. Poindexter being fingerprinted as part of the defense program. The person performing the fingerprinting appears to be a Japanese, undoubtedly one of the tens of thousands of loyal Nisei. Evidently the government of Hawaii does not adopt the same viewpoint as the State personnel board at Sacramento, Calif.

STATEMENT OF ATTORNEY GENERAL OF CALIFORNIA

With respect to the latter, the attorney general of California, Mr. Earl Warren, made a statement which was released to the press on February 8, 1942, which I hope was observed by the members of the Tolan committee inasmuch as it was perhaps the most thoughtful public utterance made by a ranking State official during the present controversy. In an opinion delivered with regard to the ruling of the State personnel board to bar citizens of enemy alien parentage, Mr. Warren struck hard against the action of the board, stating that its ruling was discriminatory, and, as such, constituted a direct violation of civil liberties guaranteed by the Constitution of the United States, as well as that of California. "Soon we will have everybody hating everybody else," the attorney general said, in announcing his ruling. "We want unity, not disunity. If we start discriminating against people because of their forebears, it will bring about disunity in our war effort. Anybody can think of individuals who will be affected by such a ruling. Even Wendell L. Willkie could hardly hope to hold public office, as his parents were emigrants from Germany." That, of course, is profoundly true. Of our white population today, about forty millions are either foreign-born or the children of immigrants, and of these about one-sixth are Germans and one-eighth are Italians. The committee can easily see the effects of a policy such as our State personnel board was advocating, any criticism of which one member designated as "nonsense" at a hearing in San Francisco on February 5.

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[8] New York Times Magazine, September 21, 1941.

[9] March 21, 1942.

As Mr. Warren stated, orders of that character "will vitally and adversely affect a tremendous number of both naturalized and native-born citizens whose loyalty no one has the right to question without affirmative proof of disloyalty." We have already been at war for over 3 months. As yet there has been very little in the way of affirmative proof of disloyalty on the part of the persons so many are anxious to discriminate against, even to move out of the whole Pacific coast area. I would point out also, that if our Japanese citizens are to be moved indiscriminately the same should also apply to those of German and Italian extraction. In other words, not only would Mr. Willkie be unable to hold public office, he might properly be placed in a reception center. So might the mayor of San Francisco himself. And, possibly, also the mayor of New York.

How, then, should we as individuals and leaders of public opinion face the problem before us? Most of us, for example, have difficulty in distinguishing between our Chinese friends and our Japanese antagonists. The pictures in Life magazine some weeks ago will not be of much assistance along that line either. And despite frequent attacks upon California Japanese by Filipinos, some people cannot tell a Filipino from an Oriental. The members of the committee may have read a news dispatch of February 5 relating how the police of a New York town apologized to Brig. Gen. Henry W. Baird, commanding officer of the Fourth Armored Division at Pine Camp. It seems that an alarmed store manager in Watertown, N. Y., called police and notified them that a "suspicious Japanese" was in his store. Two policemen closed in and snapped handcuffs on the suspect. At headquarters, however, the man identified himself as Vincente H. Gliane, 41, General Baird's Filipino houseboy for 23 years. Gliane, moreover, stated that he had been in the police station only a half-hour earlier to turn in some scrap metal. If one has this difficulty in distinguishing between brown-skinned Filipinos and the lighter skinned Chinese and Japanese, there is, of course, equally great difficulty in distinguishing between Germans and Italians and other Americans.

This being the case, it appears to the writer that the best solution for the whole problem is to follow the advice given by Gov. Culbert Olson of California in an unequivocal statement just before the outbreak of the war: "If the friction aroused by relations with Japan should generate much heat, in dealing with them I shall rely upon the fact that recognition and protection of the rights and safety of minorities has always been a basic tenet of American Government and the American sense and practice of fair play." As the statement continued, "with that in mind, all patriotic fellow Californians will foster in their own communities a popular attitude which will assure security, personal dignity, and livelihood to all resident Japanese, citizens and aliens alike." That is a statement which I wish to endorse. It should be applied, of course, also to German and Italian residents. Even though Governor Olson has since forgotten his high-minded attitude of last autumn, the best solution for the whole problem is to behave courteously toward any law-abiding foreigner, and citizen, whatever the slant of his eyes. It is the slant of the heart that counts, and that is no matter for offhand judgment.

LESSON FROM THE LAST WAR

Just as important is the lesson which we should have learned from the last war. That lesson should have taught us that while very small elements within some of our minorities may become serious menaces to national unity and the national effort, the great bulk of these minorities can also be used constructively to heighten national morale and to increase our capacity for collective action on a national scale. Among the lessons we should have learned is that the greater part of our minorities have a direct stake in our national enterprise, and that they do want to give of their resources and their enthusiasm, and that they do want their groups also to have a high morale. We should have learned that they can be solidified into collaborative action with the Nation as a whole more effectively through their own leaders than through outsiders, and that the more they understand, approve, and share our national objectives, the more thoroughly do they devote themselves to their attainment.

However it is defined officially, morale for most of us means enthusiasm of others for the causes we believe in ourselves. Naturally we cannot expect these minorities—who have remained as distinctly marginal people in our midst, to respond as warmly as those who have been here much longer, to American traditions, to appeals to our past. The United States is not merely a territory, a political unit, and a body of traditions, however, but also a promise. It is a promise for all of us, but especially for those who, whether they came here to escape oppression and poverty or to seek opportunity and adventure, have given to this country a strength which lies in the very motive that brought most of us or our ancestors here. The American dream goes far beyond the four freedoms and acquires new meaning with every new day. If it were not a fluid and expanding idea, the many diverse peoples who embrace it would have difficulty in identifying themselves with it as something real.

America is accomplishments, to be sure, but it is largely aspirations. America is unfinished. Our principal source of national unity and strength, therefore lies less in past tradition than in the present and in the future. America belongs to the future, and it is in this sense that our minorities can share and must be allowed to share with the rest of the population a common set of objectives. To the old Americans these may be largely composed of aspirations for security, but to the new Americans, to those who have chosen this Nation as their home, they shade in the direction of keeping open the road of opportunity. To old and new alike, they mean a maximum of personal freedom and personal dignity. Democracy is the only system which can provide this. It is the only system which inspires its leaders with some degree of humility and its followers with some degree of dignity.

If we can keep our imperfect realization of these values from hardening, and if we can prevent the obvious frustrations and disadvantages of wide sections of our people from being accepted as permanent, if those who have not yet been fully accepted into the community can become convinced that if not they, then at least their children may become so, then our so-called minorities will not be a threat to national morale but its chief contributing factor.[10]

Truly, the diversity of origin of our people, if properly understood, can become one of the greatest of morale-building factors in the United States. It is almost certain to guard against the tendency to think of ourselves as a superior race or to identify our Nation with the Anglo-Saxon peoples, for we could not do so without doing violence to the origins of a substantial portion of our population. Moreover, in the heterogeneous composition of our national cultural complex, we have potentially the broadest base for the development of a civilization which more nearly than any other in the world would embrace all the others.

As leaders of public opinion, then, we are charged with the duty of doing our best to prevent the recurrence of any large-scale psychological strife within the country, either now or after the war. There is need of a continual educational movement built around the fact that our population is an extension of about 60 different national, racial, and religious backgrounds, and that this fact constitutes perhaps one of the greatest advantages enjoyed by the United States and the world as a whole. Indeed, America would be dull if it were cast all in one pattern. Variety enriches and ennobles the design. Yet, out of our diversity can come unity, "unity within diversity," as Louis Adamic likes to put it.[11] Given an enlightened approach to this crisis, we can achieve unity in essentials—above all in the essential democratic faith which has room for all sorts of experimentation, and which can use healthy human nature in all its forms.

RESPONSIBILITY RESTS WITH LAW-ENFORCEMENT OFFICERS

I do not mean by what I have said that we should not be vigilant. In many respects greater vigilance is necessary than was the case in the last war because of the much stronger emphasis placed by the enemy upon endeavors to break down the home front. But matters dealing with espionage, sabotage, and subversive activities must be referred to experienced officers of law enforcement, responsible employees of the National Government, acting in cooperation with the duly constituted law-enforcing agencies of State and local governments. This is no field for independent judgment, nor for inexperience. The Government, particularly the Department of Justice and the Federal Bureau of Investigation, has been training men for many years to meet just this sort of problem. They are experienced. They know where to look for sabotage and espionage, and they know just what groups to suspect. We must let them do it. If we try to do it on our own, we will be accusing innocent people, and, just as important, we will be getting in the way of our experienced investigators who undoubtedly know what we know but don't want to reveal it just now. In other words, we must have faith in our Government.

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[10] See the excellent article by Louis Wirth, Morale and Minority Groups, 47 American Journal of Sociology (November 1941), 415–433, from which the writer has freely drawn at this point.

[11] Tolerance Is Not Enough, New York Times Magazine, February 15, 1942.

To a very limited extent, it may be that in some circumstances the military will prove the most suitable instrumentality. It must be remembered, however, that the Army mind is apt to move inevitably toward a radical solution: clear all "enemy aliens" out of the coastal regions and take no chances. This would appear unnecessary in view of the fact that the Department of Justice has gone on record that to date it "is satisfied with the general conduct of alien enemies. Most of them understand what is required of them and promptly comply with our regulations. They realize that the restrictions are no reflection on the loyalty of the majority of them. They understand that there has not been any time to separate the sheep from the goats and that for the sake of protecting the Nation from the few disloyal aliens, a great many innocent persons faithful to the principles of our democracy must be inconvenienced." [12]

In any case, the Army decisions must be made strictly because of military necessity and not because of civilian pressures. The statement of Gen. John L. DeWitt on March 2, 1942, was comforting in this regard. Speaking on the subject of the proposed evacuation of aliens and citizens from the Pacific coast, the chief of the Fourth Army promised that "public clamor for evacuation from nonstrategic areas and the insistence of local organizations and officials that evacuees not be moved into their communities cannot and will not be heeded." As the Daily Californian, daily student paper at the University of California, editorialized on the following day: "The hysterical, would-be vigilantes who have been crying aloud for evacuation of aliens and Japanese citizens alike from inland counties, and the profiteers who have hoped to gain from the evacuees' misfortune would do well to heed the general's admonitions." Certainly whatever action proves to be absolutely necessary must be done under responsible direction and not by inexperienced and overzealous laymen. Individuals and citizens' groups will achieve their patriotic purposes much more effectively and expeditiously if their energies are directed toward strengthening and supporting the authorities rather than in seeking to take over their duties.

This was stressed by Mr. J. Edgar Hoover, the Director of the Federal Bureau of Investigation, some time ago when he stated: [13] "The surging wave of patriotism, encouraging as it is, has its dangers. Unbridled activities and loose statements of individuals investigating subversive activities are distinctly un American, no matter how patriotic the aim. The vigilante method is distinctly contrary to American ideals of justice."

It is because the vigilante method is so contrary to the principle of liberty governed by law, but at the same time is so very much a part of the American tradition, that I hope the committee in its report will make a stirring appeal to the Nation and particularly the people out here on the Pacific coast now to address themselves to the problem of establishing an American unity and morale strong enough to face this war without losing too many of the finest elements which have been brought together to fashion the democracy for which we are fighting. For in that, each one of us must be brought to a realization that he has a part to play. As Jay Franklin writes in his new book, "The citadel of freedom is defended only by the spirit which animates those who man its ramparts." [14]

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[12] Radio address of James Rowe, Jr., Assistant to the Attorney General, February 20, 1942, reprinted in the Congressional Record, February 23, 1942, A732–33.

[13] In an address before the International Association of Chiefs of Police, September 9, 1940, reprinted in the Congressional Record, September 13, 1940, extension of remarks of Joseph J. O'Brien.

[14] Remaking America, 1942.

EXHIBIT 8.—LETTER FROM REPRESENTATIVE KNUTE HILL, OF WASHINGTON, ENCLOSING LETTER BEARING ON THE JAPANESE SITUATION

HOUSE OF REPRESENTATIVES,
Washington, D. C., February 17, 1942.

Hon. JOHN H. TOLAN,
Chairman, House Committee Investigating National Defense Migration,
Washington, D. C.

MY DEAR COLLEAGUE: In response to your recent letter, I am enclosing a letter which I have received from my niece bearing on the Japanese situation.

With kindest personal regards, I am

Sincerely,

KNUTE HILL, M. C.

ORANGE, CALIF., *February 7, 1942.*

DEAR UNCLE KNUTE: I notice by the papers that you have been appointed for the study of the Japanese question on the coast so I thought I might write you a few observations that might interest you. It is 2 months today since Pearl Harbor and I, for one, think it took altogether too long to get down to facts in this situation.

It is a credit to the Japanese that nothing has happened to date and I think they should have credit on that. I am in favor of moving them back from the coast, and 9 out of 10 people feel this way. We also feel that the removal should include Germans and Italians as well as Japanese. I have in the past years had a good deal of contact with the Japanese here. I conducted an investigation for a Los Angeles newspaper and wrote an article on the Los Angeles Japanese colony, their newspapers, etc., some time ago. I have attended many of their Japanese-American Citizenship meetings. This latter organization is composed of Japanese voters and each Japanese may join when he is 21. They take their citizenship seriously and when an election comes up they invite speakers on both sides of the issue. Speakers have told me (and I have observed myself) that the questions asked are really far above the average in intelligence. They take citizenship seriously and not lightly as so many of our own youngsters do, and it is my sincere belief that most of them are loyal, dependable citizens. However, I believe that they all have to face the fact of war and that if they are really good citizens, they can take removal in their stride as no more of a sacrifice than being drafted. It is foolish to be sentimental about this and try to not hurt their feelings, for after all, if they are sincere, they will do what is right and not turn against this country because of a war measure. I know we will be surprised to discover enemies in our midst, not only aliens, but undoubtedly some whose ancestors were here in colonial days. (I think the country can be thankful that Gaston Means is dead but we will no doubt discover other American opportunists.)

The problem here is a great one, for Americans have never been able to compete with the Japanese in vegetable gardening. The removal of this large population will be a big operation. The important thing, it seems to me, is that we should find some way to help all Americans to take the right attitude too. I have noticed a well-known businessman talking at the top of his voice within hearing of Japanese-Americans and stating "that it's their hard luck for being Japs and we should shoot every one of them." A local Democratic paper even went so far as to state something to the effect that we should reduce Japan to ashes and hang the military leaders to the charred stumps of their favorite cherry trees. This, it seems to me, is unfortunate. I think most of us want to look forward to a day when we will understand and live peaceably with all countries. Race prejudice is one of the worst barriers against that possibility. The greatest asset the United States has is the fact that we have all kinds of nationalities here. We have learned to live with them and discover that they have good and bad points just as we do. We should keep that balanced keel even while we fight them. I believe that the Germans in training the children to hate and to believe that all other races are inferior, turn out better fighting men in the same way that the old Vikings were good fighters when they went berserk. For a while it looks like it will work. In the long run I'll take an intelligent soldier who knows that a system has to be wiped out, that we must have victory and nothing can stop us, but that once we have that victory, we must use it to make this world a place where all people can live peaceably. If Germany should come out the victor with a whole nation of people in control, believing that the Jews must be wiped out, this civilization we have built is lost. The Jews would only be the first step. On the other hand we, in fighting against the Germans or the Japanese, should not lose sight of the fact that they are human and there are all kinds of people among them.

In some instances, very old Japanese nationals who are sympathetic to Japan were taken into custody in the middle of the night; for example, one old fellow was not allowed to get his teeth or his socks. I have talked to some of the Japanese and have found they understood that it was fear and haste that made these things happen, and they did not feel it was a deliberate policy. Yet, I think we, as Americans, should be very careful about this sort of thing. I think it is perfectly practical to move the Japanese back from the coast through their own cooperation and do it in an impersonal way. I hope that when it is done you, who are working on it, will spend less time on the physical removal and more time on seeing that those with understanding, sympathy, and a real talent for human relations are in charge. I don't approve, either, of appointing some wishy-washy woman who has been to Japan and thinks flower arrangements and kimonas are just too darling. What we need is someone who is constantly alert, always looking for signs of disloyalty not only in Japanese but in any citizen, and one who has the intelligence to recognize the symptom and then without fear and hysteria, act quickly and effectively. You know, one can be courteous, friendly, and yet on the alert, in dealing with the situation. For example, I hope someone thinks of Manchester Boddy, publisher of the Illustrated Daily News in Los Angeles, in this connection. He made a complete study of the Japanese many years ago, and has a balanced outlook. There must be many others.

I think also that if the right people deal with the young Japanese-Americans, they can work out a plan to take the farm population and set them up in the Middle West or the South where they can produce the farm products we are going to need. They are industrious and have real skill, and it seems to me if the young Japanese were asked to organize a constructive plan for doing their share they might work wonders.

I wish you could come to the coast to make your study. I could put you in touch with so many people who have worked with the Japanese in Americanization work, and you could get so many important angles. I deal with a great many Japanese in the library and have always been interested. I do not take the stand that some recommend; that is, to never mention the war because the Japanese may lose face. I take the stand that this is America and American methods are direct, and the Japanese, too, can conform to this idea. I talk about the war, tell them that war is unfortunate because it means a lot of unpleasantness but that this is the time to show what you are in spite of what anyone else may do or say. They are just about like Germans and Italians. Some of my Japanese readers have taken to reading Kathleen Norris novels, etc., with the frank statement that they just can't stand to read about the war and want to escape. Others face the facts and try to find a way to work out their problems. I attended a meeting of all the Japanese-American Citizenship Leagues in southern California last month. One man who had been adopted by a white family and raised in the Middle West wanted to ask Congress to take away the citizenship papers of an American-born Japanese who had gone on the Tokyo radio to state that this was a race war, and the group did put through the resolution. Another wanted to bar all those with dual citizenship—a most serious thing. To answer this, a young newspaperman on the Japanese daily in Los Angeles got up and made a talk which impressed me very much. He had been taken in on December 7 and had been released. He said that no one could appreciate fully what the war was about unless he had seen and talked to the rulers of Japan and also those in the Government in Washington, D. C., and then saw the difference in motifs. He asked them to not be upset about being arrested or being stopped. He said that he sat in the county jail on December 8, and wrote down 72 reasons that he could think of that would cause the authorities to arrest him and suspect him, and he said that in any country at war, this would be justified and each one must take it as part of war. I felt that this speaker hit the fundamental issue and suggested a solution. Listening to him, I felt that those who have charge of moving the alien population can do a lot in creating a constructive attitude in the group that will not only keep them from turning into enemies but will actually give them something for which to work. If they can be given the objective of proving by their constructive, willing cooperation that they are really on our side, it will mean a big step in the right direction. Also they will no doubt have to take in their stride a lot of insults, but I believe they can do it.

This week our county hospital let four Japanese nurses go stating that because there were fewer patients in the hospital, they had to reduce the staff and so let the Japanese go, although their work was perfect. I think this is all tommyrot. Everyone knows why they let them go, and why should Americans try to work out the old Japanese custom of trying to save face? It doesn't fool anyone.

Young Japanese-Americans own the orange grove across from us, and I have watched them grow up. I have watched them grow up so I now talk to the young men just as I would talk to Roger. I had talked to them only once since the 7th as they have been confined to their home which is some 12 miles from here. Yesterday, they came up to tractor their grove, the four boys doing the work. I went out to talk to them, and they said at first on the 7th, they were very much alarmed, but after that, they had thought everything would work out. Now, with the talk of removal, they were alarmed. They asked me what I thought about the statement they had heard had been issued that Mexicans were to be ready to take over Japanese crops at a minute's notice, even though the Japanese had been told by the Agricultural Department to go ahead as usual and plant their crops. I told them that there was no doubt in my mind that should the Japanese make even an attempt at bombing on the coast, then removal was almost certain to come, and come quickly. I told them I thought they should be prepared with a plan to be removed and what they could do just as a precautionary move. I asked him if it wouldn't be possible for them to lease a large tract, say in Midwest and move there for the duration. He said that he thought it could be done, but he felt sure wherever they went, they would not be welcome.

He then asked me what I would do about a most interesting thing. These Japanese (American citizens raised and educated here) as a family have been growing chili peppers for several years on a piece of land they have leased. It is right next to the site bought by Douglas and now the place where the big plant is erected and one of the vital defense spots. They hold a lease and have put down a well and will stand to lose $2,000 if they move out, especially in view of the fact that the white man who owns the land will not release them from their lease. They have been told to go ahead and plant peppers as usual, and yet they feel jittery. What would I do? I told them I would certainly not plant anything or be seen in the area and pointed out that a German agent could plan sabotage so that it would appear that the Japanese were the saboteurs and leave them holding the bag. I don't know as they will take this advice but situations like this are dynamite. The Agricultural Department, a peaceful minded Department that thinks in terms of supplying food for the Nation, mildly suggests that Japanese who are American-born have all the rights of American citizens, and should go ahead as usual, and the Japanese who have always learned to take advice from the farm adviser trust them first. They don't seem to realize that when sabotage occurs, another department comes in and there is apt to be trouble. I don't think anyone would blame the Federal Bureau of Investigation for being very suspicious. In fact, I think any ordinary citizen has the right to ask that the Japanese place themselves beyond suspicion by staying away from defense areas but just the same, some rank injustices can develop out of this type of situation. Those in the community who know the Japanese will either feel that an injustice has been done or they may go off in hysteria and think there is something wrong. In either case it is bad and could have been avoided if taken in time.

I am rambling on, setting down thoughts as they crop up, because I think maybe I may be able to give you information that will be useful. I am in fairly close touch with Japanese here and am watching their reaction to events. I believe most of them are all right but I don't think it is safe to allow them to concentrate in defense areas any more than I think it is safe for Germans or Italians to do the same in time of war. The family I spoke of above who own the grove across from us make an interesting group. The father is an alien and went home to visit Japan in spite of the protests of the sons. When the father got stuck in Japan and only got home by the skin of his teeth on the last boat, the sons didn't hesitate to say it served him right. In fact, in his absence, one of the sons enlisted in the Medical Corps, which upset the old man very much. He told me that his son hadn't even bothered to let him know so that a stranger had told him about it. There is a fierce fight here between the two generations and the fact they cannot be assimilated as the Germans or Italians makes it more difficult. It is a tough problem but it is an opportunity and a challenge too. If we could ever manage to be firm, sensible, and keep justice in sight, I think we might turn the handling of the removal of Japanese from the coast into an example of how the east and the west can work together recognizing the rights of each other, and making a few compromises, keeping away from hysteria which breeds future trouble and working together for the good of all. It could be true democracy at work. If we could have the executive ability to show the Japanese the need for the move and then show them that they have a constructive part to play in preserving our democracy, it would be true democracy at work. I am really very much interested in this subject and if there is any information I can get for you don't hesitate to let me know. In the meantime, perhaps it is just as well to read this over, pick out any grains from the chaff and then burn it. After all, this is not a series of opinions thought out or worked over, but rather a quick reaction of events as I see them.

Lots of love and write when you can.

Yours as ever,

F. H. E.

Exhibit 9.—Statement by Clarence E. Rust, Attorney at Law, 5837 San Pablo Avenue, Oakland, Calif., on Enemy Alien Evacuation

Februaru 20, 1942.

I find no popular demand for the efforts to drive the so-called alien enemies from California. (Chester Rowell has also stated this as his impression.) The clamor seems to come from chambers of commerce, Associated Farmers, and the newspapers notorious as spokesmen for reactionary interests. In view of this fact, effort should be made to determine whether there is any connection between the clamor for the dispossession of the Japanese farmers and the desire of these clamoring interests to get possession of the Japanese farms and the elimination of the Japanese competition.

I am utterly in opposition to the adoption of a program of hysteria as a national policy. Our country is strong and virile because its citizenship emerged from the fittest survivial of the melting pot. We reject the European and Asiatic doctrine of the attainder of blood. Nor shall any man be discriminated against because of his race, color, or previous condition of servitude.

Japanese, Italians, and Germans are also people. I am profoundly disturbed by the present attempt to heap upon their descendents in this country contempt and hatred. If we are to begin a program which amounts to persecution of sections of our citizenry, because of their race or origin, then Hitlerism has already won America, though the Nazi Army is 4,000 miles away.

So far the Attorney General has resisted the mad pressure; but the mad pressure mounts. Even now we hear the rumble of the threats of martial law for all of California—a State of "nonlaw" which would abolish the rights of all of us and make many wonder whether totalitarianism is to be fought with the same and so reduce the struggle to an abstraction.

If Congress wishes to make of every citizen of Japanese, Italian, and German extraction in this country an enemy of America and a fifth columnist in fact instead of the present fancy, let it insist on this proposed policy of persecution.

At the end of this terrible conflict, some of us are fools enough to hope for a world based on brotherly cooperation. The hate generated now will return to plague us then and the victory of which everyone now prates will turn to ashes in our hands.

Please stand firm against all policies of hate, persecution, martial law, and totalitarian methods.

Exhibit 10.—Statement by Donald Younger, Santa Cruz, Calif.

February 23, 1942.

Coming here at my own expense, and without being retained to represent any individual, I shall appreciate the opportunity of partially presenting to you the economic and social problem that confronts the City of Santa Cruz, Calif., and the nearby area in the present defense program.

Having served as justice of the peace and later as police judge in my native city, and having actively participated in peace officers' organizations, I believe that I understand and that my sympathies are strongly with the legislative and law-enforcement officers. I am an attorney at law, but am appearing before you as an individual in the hope that I may be able to assist in recommending legislative or even executive action that will result in greater security for the United States as well as for our particular section of California.

On January 30 the press published a January 29 Department of Justice release announcing two zones in California from which so-called alien enemies would be barred. These consisted of the comparatively narrow strip along the harbor area in San Francisco, known as prohibited area No. 19, and prohibited area No. 33 in Los Angeles.

SANTA CRUZ COUNTY PROHIBITED AREA HASTILY ESTABLISHED

On February 3 we learned that the Attorney General had the previous day announced additional prohibited areas, including No. 28, commencing at the mouth of Laguna Creek, 7 miles northerly of Santa Cruz, running up the creek to State Highway No. 1, then south on State Highway No. 1 to the Carmel River in Monterey County.

Prohibited area No. 28 includes about one-half of the artichoke and sprout lands in Santa Cruz County, and also includes the entire business area of the City of Santa Cruz.

It appeared to us that the boundary lines were established as a matter of hasty convenience for the Army, which we believe wanted to establish a prohibited zone along the Monterey Bay water front.

Having in mind that the Army and Justice Department went to considerable trouble in describing the narrow boundaries of the comparatively small prohibited zone in San Francisco, we immediately attempted to again communicate with the Army by addressing appeals to General DeWitt, his adjutant, and his public relations officer, and sent similar letters and telegrams to the Department of Justice and its coordinator of enemy alien control for the western defense command, Tom C. Clark.

APPEAL TO GENERAL DEWITT

On January 30 I had telegraphed Lt. Gen. John L. DeWitt of the Western Defense Command as follows:

"Italian-Americans engaged in production of artichokes, Brussels sprouts, broccoli, and some other vegetables, including small percentage of sugar beets, occupy very substantial portion of coastal land between Half Moon Bay, San Mateo County, and Watsonville, Santa Cruz County, including approximately 3,500 acres in Santa Cruz County.

"Probably one-half of these farmers are enemy aliens, that is, Italian citizens, but are loyal to the United States, a large portion having come to California before the rise of fascism in Italy. They claim no loyalty to Italy, but neglected naturalization in many instances because of limited education.

"Any blanket ban of aliens from entire coastal area may not be contemplated by you, but would result in serious financial and agricultural loss to this area, particularly Santa Cruz County, which has already suffered from defense activities without complaint as this county is naturally primarily interested in victory.

"While I do not know as to your recommendations to the Attorney General, I believe civil authorities in Santa Cruz County do not question loyalty of any of these Italian-American agriculturists. I hope that it may not be necessary for you to recommend evacuation of all Italian aliens from nearby coastal areas without further investigation and possibly informal hearing. I believe that Italian agriculturists in the county could post any required bonds and otherwise demonstrate their loyalty to the United States if you deemed that advisable."

A similar letter was telegraphed to the Attorney General in Washington, D. C. Confirmation copies were sent special delivery, air mail, and other copies were mailed to the chief Federal and local law enforcement agencies in California.

SUGGESTS ALIEN EVACUATION HEARING BOARDS

In a letter of February 3 to General DeWitt I pointed out that there is a three-man board in San Francisco to whom any interned or about-to-be-interned alien may appeal. I asked if it were not possible for some such board to be established in Santa Cruz County for the purpose of passing upon the Italian farmers who had then been ordered to evacuate their artichoke ranches by February 24. I suggested that such a board or committee might be appointed by General De

Witt, or any agency selected by the President, and that it might provide that every ranch in a prohibited area should be managed by a citizen. A bond or other security might even be required before the issuance of such a permit. I expressed the belief that such a committee or commission and the placing of enemy aliens under bond might be authorized under section 21 of title 50 of the United States Code.

It was quite obvious that in the establishment of prohibited zone No. 28 none of the law-enforcement officials of the City of Santa Cruz or of the county of Santa Cruz were consulted, and apparently none of the State nor the regularly assigned Federal law-enforcement officials in northern California were asked for their recommendations.

The prohibited or evacuation area in and near Santa Cruz County does not seem to include the Pigeon Point or New Year's Island lighthouses in San Mateo County, between the San Mateo-Santa Cruz County line and the town of Pescadero in San Mateo County, nor does it seem to include defense installations with which we are all familiar but are not expected to discuss in a public meeting. Also, the large Santa Cruz Portland Cement Co. plant at Davenport, Santa Cruz County, and the coast line in that area, are not in a prohibited zone. The privately owned radio station in this county is outside of the local prohibited zone, as are many important municipal installations at Santa Cruz.

PROPOSES PROHIBITED ZONE REVISION

If it is intended that prohibited zone 28 should merely include Monterey Bay, then it would be far less harmful economically if the northerly or northwesterly boundary were changed from Laguna Creek to Moore Creek, which is approximately at the northwesterly limits of the City of Santa Cruz. As a matter of fact that boundary might even be brought down to Woodrow Avenue in the City of Santa Cruz. Woodrow Avenue might be a safe distance from the Santa Cruz Lighthouse.

A Santa Cruz committee studying this problem reported, in part, as follows:

"We, of course, wish to cooperate in every way, and do not desire to make any request that will cause the Army any inconvenience.

"If the restricted zone lines could be modified to a line beginning on the westerly line of the city limits of Santa Cruz, at its intersection with the Pacific Ocean, thence northerly to Delaware Avenue, thence easterly along Delaware Avenue to Columbia Street, thence northerly and easterly to Bay Street, to California Street, to Laurel Street, to Broadway, and extension thereof to the easterly city limits, and thence northerly to State Highway No. 1, then on that highway into Monterey County, we believe that shore line of Monterey Bay would not be affected."

By changing the northerly or northwesterly boundary of zone 28 in accordance with one of these suggestions, the vegetable ranches and packing sheds near and adjoining State Highway No. 1, both within and without the city of Santa Cruz, might continue without interruption.

On January 29 a Department of Justice press release stated that "the Attorney General pointed out that the Federal Government which is in possession of all the facts is best equipped to take vigorous action in the interest of national security.

"The Attorney General emphasized that, in the interests of efficient and speedy solution of the problem, local officials and the public at large should leave this complicated program in the hands of the Federal Government and should not take conflicting action which might impede the program."

On February 6 and in subsequent communications to others who requested a review as to the boundaries of prohibited area No. 28, Tom C. Clark stated:

"The Attorney General designates such zones with such boundaries as the War Department certifies to him as necessary for the national defense. In other words, the Attorney General has no part in the selection of the areas, but merely is the official who designates them under proclamation of the President. I am certain that the military authorities have valid military reasons for creating this zone. However, I am transmitting your communication to them and as soon as I receive their reactions I shall advise you."

CONFERS WITH ARMY REPRESENTATIVE

On February 12 we were fortunate enough to be able to go over this matter with an apparently well-grounded, courteous, but firm Army captain. After the conference we had the following thoughts:

1. That State Highway No. 1 was used as a matter of convenience in describing the boundaries of prohibited zone 28.

2. That practically the entire business area of Santa Cruz could be released from the prohibited area and merely retained in a restricted area, from a strategic point of view, and that we were perfectly justified in our complaints, but that if the Army made an exception in our case it would be called upon to make numerous changes elsewhere.

I am not appealing for any Japanese or German aliens. There are none on the farming lands in the northerly portion of zone 28, but approximately 60 percent of the labor on those farms is performed by Italian-Americans who have not become citizens of the United States but are thoroughly loyal to this country. Perhaps a disloyal Italian may be found in that portion of zone 28, but no Italian has as yet been taken into custody in Santa Cruz County by the Federal Bureau of Investigation. It takes comparatively little time to teach someone how to pick artichokes and sprouts, but it takes years to teach anyone how to successfully plant, irrigate, and care for the plants.

TYPICAL HARDSHIP CASES CITED

There are, of course, many hardship cases that my be cited, such as the following:

1. Two Italian-American brothers operate an approximately 150-acre ranch. They are both naturalized, but their wives are aliens. The wife of one was an American citizen prior to her marriage; she became an alien upon her marriage to an Italian; the husband perfected his American citizenship in December 1922, but that did not naturalize his wife as the law had been changed in September 1922. Both of these naturalized American brothers have children either in school or who have graduated from the Santa Cruz schools, and all give every evidence of being loyal Americans. However, as the wives neglected their naturalization papers, these two families must now move off this ranch, although the wives could live next to and work in the important Santa Cruz Portland Cement Co. plant a little further up the coast as far as the prohibited area regulations are concerned.

2. Another Italian couple has lived in Santa Cruz for many years, the father supporting a family by fishing. They also saved sufficient money to purchase two houses, a home for themselves, and one to provide some rental income for them in their later years of life. Their family included three sons, all of whom are enrolled to serve the United States, two in the Navy and one in the Army. We can well understand why our Government does not want any so-called enemy aliens to operate a fishing boat that might come in contact with a Japanese submarine, but it is difficult to explain why this couple should also be deprived of the use of either of their two homes. It is probable that they will not be able to rent either house. Another local Italian fisherman has five sons in the Navy, but he will not have to move, as he completed his naturalization some time ago.

3. An Italian couple worked in Monterey County for a number of years, saving sufficient money to pay $7,600 for a small ranch in Santa Cruz County. They built a home for $3,700, spent $1,000 for a water well and made other improvements. Being self-supporting, and having a daughter in school who informed them as to Americanization classes, they proceeded to formally become American citizens. The wife was due for her final papers in January, but her application has been postponed until June because of the war. The husband is due for his final papers about 6 months later. While their little ranch is approximately 1 mile from the bay, it is apparently on the wrong side of the highway. Accordingly these people are having to move and pray, as there is little or no chance of renting their property.

4. In another case the husband has been a citizen since May 5, 1939, and the wife was due for her final papers in January of this year, but must now wait until June, or perhaps even until the war is over. The husband is crippled and can only do very light work. The wife has been operating a poultry business on their small place. They have been property owners and taxpayers in that locality for 24 years. However, they, too, were not on the right side of the highway, although they are a much greater distance from the bay than would be required if they were living in San Francisco.

5. A small hotel in Santa Cruz on the wrong side of State Highway No. 1 is closing. The proprietor is an American citizen, but many of his guests and other patrons are Italians, some of whom are working at the cement plant in a non-prohibited area.

Of course there are numerous other cases that could be cited, instances in which an investigator might not hesitate granting a permit for the individuals to continue living and working on their property, distant from any defense installations.

While we are all-out for the Army, and appreciate that many people hesitate asking a question about any ruling for fear of being accused as a fifth columnist, I hope that this committee may see fit to concern itself with the economy of some of our small coastal cities.

I believe that the average law-enforcement officer feels that if it is advisable to evacuate all enemy aliens from substantial areas, such as in Santa Cruz County, that it would then be better to extend the line back to beyond the first mountain range. I share that belief, but until all of California is made into one prohibited zone I believe that we are entitled to request the reconsideration of the present boundaries of prohibited zone No. 28.

ADVOCATES PERMITS FOR LOYAL ITALIAN FARMERS

It is my hope that this committee may see fit to recommend legislation, if legislation is necessary to provide for the granting of permits, whereby obviously loyal Italians might continue with their agricultural work, under supervision, subject to restricted area regulations, perhaps even requiring a bond before the granting of such a permit. I believe that such a system of permits would preserve the artichoke and sprout industry, which produces in Santa Cruz County more than $1,000,000 in necessary crops during a season when other vegetables are not available. This business is vital to the economic welfare of Santa Cruz. While these ranches have their own water supply, they purchase an additional $5,000 to $6,000 in water from the City of Santa Cruz. The company that sells most of the ice for the carload shipments of vegetables receives $25,000 a year for that ice.

Commencing tomorrow, no enemy alien may visit any public building in Santa Cruz, with the exception of the small California highway patrol office. All other public buildings are in the prohibited area. This also includes all doctors' offices, the two hospitals within the city, the city prison, and the county jail. Aside from the inconvenience to the Italian-American, it will be a very substantial loss to the business area of Santa Cruz. However, it will apparently not interfere with the Japanese cultivation of strawberries around our reservoirs, as the latter are not in a prohibited area.

Local authorities appreciate that we are at war, but they would undoubtedly appreciate being consulted in matters relating to the economy as well as the safety of their communities. They may not object to turning responsibility over to the Army or the Federal Bureau of Investigation. However, if they are going to be called upon to do the laboring work for the Federal Government, whether it be the gathering of firearms, cameras, and radios, or the conducting of raids for the Federal Bureau of Investigation, they would at least like the opportunity of being considered in an advisory capacity within their own jurisdiction.

SUPPLEMENTARY STATEMENT, APRIL 14, 1942

On February 19 and 20, 1942, the President and the Secretary of War authorized Lieutenant General DeWitt, as commanding general of the western defense command, to prescribe military areas in such places and of such extent as he may determine from which any or all persons may be excluded, and with respect to to which the right of any person to enter, remain in, or leave shall be subject to whatever restrictions the military commander may impose in his discretion. The western defense command includes that portion of the United States lying within the States of Washington, Oregon, California, Montana, Idaho, Nevada, Utah, and Arizona, and the Territory of Alaska.

General DeWitt issued public proclamation No. 1 on March 2, establishing military areas Nos. 1 and 2, the first including approximately the westerly one-half of Washington, Oregon, and California, and the southerly one-half of Arizona. Military area No. 2 embraces the remaining parts of those four States.

JAPANESE EVACUATED

Military area No. 1 was divided into prohibited zone A–1 and restricted zone B.

In addition to the coastal prohibited zone, 98 smaller prohibited zones were established around hydroelectric plants and other utilities.

As this statement is being made on April 14, 1942, all Japanese and American citizens of Japanese ancestry are being evacuated from prohibited zone A–1, it having been publicly announced in the press and "confidentially" announced to the cooperating public officials that this evacuation will be completed by May 20. Many of these Japanese and citizens of Japanese ancestry have, quite naturally, suffered substantial losses in their somewhat hasty preparation for evacuation.

EXEMPTIONS FROM EVACUATION

General DeWitt subsequently issued public proclamations Nos. 2, 3, 4, and 5 on March 16, 24, 27, and 30. The latter proclamation provided that the following classes of persons were authorized to be exempted from exclusion and evacuation upon the furnishing of satisfactory proof as specified in a printed form of application:

1. German and Italian aliens 70 or more years of age.
2. In the case of Germans and Italians, the parent, wife, husband, child of (or other person who resides in the household and whose support is wholly dependent upon) an officer, enlisted man, or commissioned nurse on active duty in the Army, Navy, Marine Corps, or Coast Guard.
3. In the case of Germans and Italians, the parent, wife, husband, child of (or other person who resides in the household and whose support is wholly dependent upon) an officer, enlisted man, or commissioned nurse, who on or since December 7, 1941, died in line of duty with the armed services of the United States.
4. Germans and Italians awaiting naturalization who had filed their final (or so-called second) petition for naturalization and who had paid the filing fee therefor on or before December 7, 1941.
5. Patients in hospital, or confined elsewhere, and too ill or incapacitated to be removed therefrom without danger to life.
6. Inmates of orphanages and the totally deaf, dumb, or blind.

OTHER EXEMPTIONS ADDED

Without an additional proclamation, the Western Defense Command on April 14 was also receiving applications for exemption from evacuation by Italians and Germans in the so-called split family or mixed marriage cases where one spouse is a citizen and the other neglected to become a citizen but may otherwise be loyal to the United States.

The western defense command on April 14 was also considering possible additional exemptions from evacuation, which will likely be announced prior to the publication of this report. While General DeWitt is to be commended for his attempt to be fair in the treatment of aliens of enemy nationality, he is perhaps overlooking an additional safeguard in not requiring that a local citizens' committee approve of the alien and endorse his petition for exemption from evacuation before same is submitted to the Army. It might be unwise to include any elective official on any such committee, but it would certainly add to our security if all such applications were approved by a local committee or civil authority before being mailed to the commanding general of the northern California sector at San Jose, or the commanding general of the southern California sector at Pasadena.

LOCAL BOARDS ONLY "INSPECT" APPLICATIONS

The regulations provide that applications coming within one of the six announced exceptions shall first be submitted to a local draft (or Selective Service) board for approval, but that other applications, such as in the "split family" or "mixed marriage" cases, shall be mailed directly to the commanding general.

However, the instructions given local draft boards provide that the local board is not to make a decision as to whether aliens shall or shall not be granted exemption permits but shall merely review a submitted application to determine whether it is properly prepared and supported by written evidence, forwarding the properly prepared application to the appropriate Army headquarters.

BASE EXEMPTIONS ON BENEFIT TO UNITED STATES

If any exemptions from evacuation are to be granted, I believe they should be based upon the reputation and loyalty of the individual Italian or German, plus the benefit to be derived by the community if the exemption is granted, such as the productive capacity of the Italian farmers who, alone, have been successful in producing vegetables and certain other agricultural crops in the coastal region near Santa Cruz, Calif.

We have great admiration for many Italian fishermen who have one or more sons in the Navy, and have, therefore, been granted exemption from evacuation and all curfew regulations, except that they are not allowed to fish.

ITALIAN FARMER ECONOMIC ASSET

On the other hand, the Italian farmer with American daughters, or with an American son too young or too valuable as a farmer to be permitted to enter the armed forces, might well be allowed to file an application for exemption from evacuation if he has demonstrated his loyalty to the United States and if he can prove that he produced a substantial quantity of needed agricultural products during the past several years.

I trust that the Congress and General DeWitt will succeed in solving the problems I reported to this committee, as well as the many other problems confronting them, and appreciate that many have been worked out since I first reported them to the western defense command on January 30, 1942.

EXHIBIT 11.—STATEMENT BY STUART R. WARD, 1035 TEHEMA AVENUE, MENLO PARK, CALIF.

ALIEN SPECIAL

The following are solely my personal opinions as a private citizen, prepared January 27, 1942.

1. I have perhaps given an unusual amount of personal attention to this question over the last several years, for I have taken considerable pride in having friends among people of all nationalities and all religions and some of my closest friends are members of other races and religions. My background in the Japanese field includes (*a*) prolonged study commencing 10 years ago of the arguments pro and con regarding a Japanese immigration quota; (*b*) personal acquaintanceship with the late V. S. McClatchy (lieutenant commander, United States Naval Reserve, Intelligence Service); (*c*) personally organizing (when I was the district commander of district 8, San Francisco and San Mateo Counties, American Legion), one of the two all-Japanese Legion posts in the United States, the Townsend-Harris Post, San Francisco. Besides having met with this group, I consulted with their leaders, organized their first meeting, and in general was close to their leaders for a period; (*d*) by their invitation attended their annual banquet and formal ball of the Japanese-American Citizens League as their guest to lead the 400 present in pledge to the American flag; (*e*) conducting a radio program before several hundred thousand listeners on the topic "How loyal are our Japanese-American citizens?" on my personal radio round table, the California Council Table, October 12, 1941. A copy of an article I wrote on their invitation is attached.

Speaking more frankly now than I did in this article, I would say that my observations at this radio program, confirmed by comments by listeners, were that there was hardly a trace of convincing patriotism or loyalty in anything my five guests said. I'd be glad to arrange to have any Government official listen to the electrical transcription of this half-hour's program by the five leading Japanese-American citizens, which included their national president and field secretary. Notably, on this program the national president, Attorney Saburo Kido, stated positively, after some evading of my question, that he did not know of one instance where a Japanese-American citizen has given any information to our counter-espionage services on disloyal activities on the part of any members of the Japanese community. At the time I already knew authoritatively this was the case, but it was interesting that the national president, allegedly of 15,000 Japanese-American citizens, admitted this notwithstanding the fact that our counter-espionage agents do know through other means of disloyal activities in the Japanese colonies where Japanese-American Citizens League members live. As I mention in attached article, I do not know of any Japanese who has made forthright criticism of the course of Japan in China, right up to the minute war was declared, until they felt their own personal safety was threatened. My own impression is that they heartily approve of it and are secretly happy about the whole situation. Only last week I learned of a Japanese woman who was at a Palo Alto hospital after having a baby shortly before Pearl Harbor was attacked.

The nurse said that this woman lay in bed with her heavy glasses reading the newspapers and chuckling and laughing out loud to herself over the situation. Although few Japanese are as unguarded as this woman, my own impression, frankly based upon intangibles, is that this reflects pretty well the feeling of most of our residents of Japanese birth, as well as our so-called Japanese-American citizens. Were the Japanese to invade the Pacific coast tomorrow I do not believe they would execute, or even put in jail, a baker's dozen of the thousands of Japanese and Japanese-Americans living on this coast.

Only last night I learned through completely reliable sources that certain Japanese farmers getting their tractors, etc., repaired, instead of leaving broken metal parts with the dealer, now demand spare parts be returned to them. I suggest it would be highly interesting to send a counter-espionage agent disguised as a junkman to the homes of some of these Japanese farmers to attempt to buy up this scrap metal. I strongly suspect it would be found their object in reclaiming these parts is not to save money but rather to hinder America's war effort by taking vital metals out of circulation.

National Japanese-American Citizens League president, Saburo Kido, to whom I have referred above, was a member of the unlamented America First organization. I am told that in the judgment of some of his own Japanese-American associates he has not as their national president come out with sufficiently forthright statements to reassure other citizens as to the loyalty of himself and his group.

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I believe one aspect of the Japanese situation which may be of importance is the effort of the Japanese to closely identify themselves with other minority groups. I have frankly told some of my friends of other minorities that if they as a group attempt to defend the Japanese it is eventually likely to backfire on them. I know some of my minority friends agree with me in this position, but not all I'm afraid. However, I hope the best thinkers of our other minorities will recognize that so far as they are concerned the Japanese must be allowed to paddle their own canoe, sink or swim. On this coast, particularly, the Japanese are by a tremendous distance and by all odds generally regarded as the most largely disloyal of all our groups.

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Significantly, on the other hand, the Chinese are regarded as industrious (of course Japanese are certainly that, too), highly honest, good-natured, dependable, capable, possessed of many of the best traits of American citizens, and generally well liked and respected. They and their nation have the sympathy of the entire Pacific coast. By fair dealings and taking care of their problems most effectively in their own way, Chinese have lived down the early San Francisco resentment of Dennis Kearney and the "sand-lot days" of 1870. The Japanese are not now nor ever have been liked, understood, or trusted. This attitude of our citizens on the coast is pretty well borne out by those travelers from Japan with whom I have talked. Aside from a relatively few idealists and zealous foreign missionaries, the general reports I get from men who have dealt with Japanese over the years is that there is no such thing as having a friendship with a Japanese after one ceased to be of use to the Japanese. A harsh statement—but too often repeated to be ignored.

With respect to racial minorities, the Japanese also seem to show some interest in tying in with the Negro group. How extensive this is I do not know. I do know that following my radio broadcast, I was the guest of my Japanese-American radio guests at the Nippon Club, Taylor Street, San Francisco (an exclusive Japanese club), where a hot saki dinner was cooked and served on the table and where there were also present five Negroes or mulattos from Chicago, Los Angeles, etc., members of the President's Committee Investigating Discrimination Against Racial Minorities in Defense Industries. As to the Negroes, I have always felt sympathetic and that there is no good reason why they should not be employed in defense industries. As to the Japanese, be they immigrants or the second generation, I am today absolutely unable to feel our national safety permits either group to serve in any vital industry. The possibilities of damage which could be done even by a single traitor are altogether too high for us to take the risk. I maintain that the first consideration is to see that our country wins this war. If they have good sense the Japanese-American group should themselves recognize the wisdom of this.

Despite the above, I have over the past 10 years earnestly tried to understand and trust the Japanese. Personally I must regretfully confess I am unable to do so. I totally distrust them. I believe a similar statement would be approved by all but a tiny minority of sentimental and highly idealistic people here on the coast. I fully realize this sounds rough, but I think an investigation will bear out the assertion.

My own apprehension is that we are going to face on the Pacific coast another "Pearl Harbor Day." I would anticipate there would be no cases of Japanese sabotage until the proper time comes. At that time I would fear Japanese—and American-Japanese—residents all over the coast would be instrumental in destruction of our bridges, water systems, railroads, military facilities, and otherwise endeavoring to weaken our resistance against a Japanese air and/or naval attack. I do not—in fact, I cannot conscientiously do otherwise—than anticipate that large numbers of our Japanese-Americans would be involved in traitorous activities. I feel no conviction whatever that the simple accident of birth on American soil, surrounded as it usually is by tremendous racial, family, and group pressures, has made American citizens of these young people. In fact, Mr. Saburo Kido said to me after my radio broadcast, "Well, if you don't treat us better here in the United States, you can't blame some of us if we become fifth columnists." It is to be remembered that this was the national president of the Japanese-American Citizens League speaking.

As to any differences in American attitudes toward Japanese farmers and city dwellers, I have not been in a position to observe such differences. In the cities, of course, the Japanese live in a more or less segregated area, keeping much to themselves, work for each other, and do not mingle very much with the community in general. In the country, the vegetable and some fruit businesses are considerably in the hands of Japanese owners, through subterfuge, or the work is carried on by workers of Japanese ancestry, or under direction of a Japanese foreman.

2. I think that there is more suspicion directed against the Japanese in California now than there was before the Pearl Harbor incident. I think the disclosure of the arrowhead marks in the sugarcane field at Pearl Harbor, the obstructing of the highway by Japanese vegetable trucks when officers were trying to reach their stations, and the fact that rings from the Honolulu and from the Oregon State schools were found on fingers of some of dead Japanese aviators, have awakened many Americans to what many of us have apprehended over a number of years. I find that numbers of Americans are discussing whether or not they should discharge their Japanese gardener, houseboy or maid. Many such employees have been discharged.

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I am ordinarily more temperate in my remarks on this subject, but your questions asked what are my personal opinions and so I give them. I heartily believe there should be no physical violence against any Japanese immigrants or Japanese-Americans. I believe the due process of law should always be observed and that no needless hardship should be worked upon them, but, on the other hand, I would rather see, say, 20 Japanese detained in jail at great personal inconvenience rather than to see one Japanese fifth columnist permitted to roam at large, possibly to seriously damage our defenses at a crucial hour. I am totally unable to condone any other attitude on the part of any loyal American citizen. Despite all efforts at ameliorating resentment against the Japanese, I am inclined to think that as the grim facts of Pearl Harbor sink in, there is a slowly increasing distrust and dislike—even fear—of Japanese on this coast.

Much though I would like to feel otherwise, I believe Japanese and Japanese-Americans alike should immediately be placed in concentration camps and without a moment's warning. I do not believe moving them back from the coast would be adequate. I realize this means heavy cost and injustice to a considerable number of the 140,000 such residents in the United States. On the other hand, I think the record of Pearl Harbor, the information I believe to be in the hands of our counter-espionage agents, and the general public attitude toward the Japanese, all indicate that what is likely to be a life-and-death struggle for the possession of the Pacific coast seaboard would justify such action for duration of the war. (I am one of those who considers an all-out attempted Japanese coastal invasion entirely possible). If anyone knows how to separate the sheep from the goats on this deal I have never talked to him. None of our three counter-espionage agencies has (until recently at least) been given sufficient funds or personnel to do anything like an adequate job. Now, there isn't time.

I do not think even Italian or German residents are to be classed with the Japanese as regards possible disloyalty. As already remarked, I believe that if any other minority group were to become recognized as a protector of the Japanese, it would find itself dragged into the same mudhole.

Answering your question on this point, as with most strong feelings, I believe there is, possibly, somewhat more prejudice against the Japanese, without restraint or discrimination, on the part of persons at lower economic levels. Among the wealthier and better-educated groups, however, there is also a big majority who do not like or trust them at all. However, some of our best citizens have in all sincerity lent their names to help protect our State's Japanese—and to the extent their efforts are confined strictly to preventing physical violence and unfair economic attacks upon Japanese, I am inclined to sympathize with them—though I have declined to join them.

* * * * * * *

As to why the lower economic level in my judgment feel more intensely against the Japanese, I can only suggest that for a number of years (whether by the alleged expenditure of sums running into millions of dollars annually by the Japanese Government I cannot say) our upper classes particularly have been bombarded with pro-Japanese propaganda. Some of this was direct and obvious and legitimate. For example, I have received from two Japanese every Christmas beautiful Christmas cards. I have also received annually a beautiful calendar which to one who loves art is difficult not to use. I have also received a heavy bound volume of several hundred pages, containing a great mass of interesting and useful business or travel information; also numbers of beautiful colored plates.

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The influence of certain leaders of thought on the coast most assuredly has permeated the faculties of our universities. It has become regarded in such circles as a hallmark of intolerance and bigotry to do anything except say nice things about the Japanese. I believe efforts to secure a Japanese quota undoubtedly softened up a lot of fine people on behalf of the Japanese everywhere and covered the Nation with propaganda.

To what extent these activities were indirectly fomented by agents from Japan (if at all) I have no way of knowing. I do know that I have personally been invited to cocktail parties for a departing Japanese newspaperman, have been entertained at the Nippon Club, have received other courtesies which indicate a considerable amount of money was apparently available for making American friends.

6. I hate to answer such a question in regard to any people as I feel I must answer this one. Let me put it this way: I cannot honestly say to anybody that I know one Japanese of the few I have contacted whom I felt could be trusted as to friendship or loyalty. I certainly would not want to rest the safety of my Nation upon members of this group under any circumstances. As the war goes on, and if a major attack is made on California I believe acts of sabotage would become innumerable all over the coast; also that if and when a Japanese invading party took over California the resident Japanese, would, to say the least, not be inconvenienced.

As noted above, quoting Mr. Kido, I think he was entirely correct when he said that if Japanese were not better treated they were more likely to be disloyal. However, I presume that Quisling in Norway probably felt himself misunderstood or unappreciated in his country and certainly it is a historical fact that Benedict Arnold felt himself unappreciated by the American Congress and so became a traitor.

I believe the Federal Bureau of Investigation has done a great deal of good work with respect to the Japanese, but I am confident they have found themselves partially baffled by the noncooperative attitude of both Japanese and Japanese-Americans on this coast. The Naval Intelligence Service, which has specialized in the Japanese, has I believe long been handicapped both by lack of funds and men. It is unfortunate the Japanese have apparently had ample number of spies in this country for years, whereas we have only recently expanded our counterespionage offices to any even reasonably fair proportions. It takes time to get information and build up contacts and I doubt that our men have had the time they need. I believe the general public, instead of being principally fed-up on urging to be kind to the Japanese, should instead be fed-up on (1) while committing no act of physical violence against Japanese, (2) instantly to turn in every scrap of information in written form to either the Federal Bureau of Investigation or the Naval Intelligence Service as promptly as possible. I think a definite campaign of education as to what sort of information is useable would probably produce a mass of crucial information. When I was State chairman of the national defense for the American Legion in 1938 I offered to organize a strictly nonpublicized committee of key legion leaders all over California to do this, but got no encouragement.

9. One of your most difficult questions is that as to where the Japanese should work. I would put it on this basis: If the responsible military and naval authorities anticipate a serious major attempt to conquer the Pacific coast, I believe all Japanese and Japanese-Americans should be put in concentration camps. I cannot reiterate too often that I realize the great injustice this would work on individuals. However, for both their sakes and ours, the first thing to do is to see that traitors are not permitted at large.

Few Americans realize, in their emotions, that we are at war. There is a lag in such things, and always has been I suppose.

10. Unless we amend the Constitution and prevent persons born of Japanese parents upon American soil from becoming citizens, I see no way we can prevent American-born Japanese owning land. However, in view of the war, I believe control over such land should at least be put under a guardian or director who would have a directing voice in the use of the land and its equipment. My own conviction is that persons of Japanese ancestry cannot safely be treated as American citizens until at least three generations have been reared in this country. It takes that long to get a group of nationals who believe in both emperor and ancestor worship, and who are most rigidly bound down by family ties, to really break loose and become Americans. When that occurs I see probabilities they may become some of our very finest citizens. Nor do I agree with those who think intermarriage is in the long run bad. Eventually it would seem the only final solution of minority troubles though hard on some individuals and their children.

Most emphatically, I believe all group restrictions should be removed as soon as the war is over.

11. I do not know how many of our nationals have been captured by the Japanese. I am confident none of them are getting any better treatment than would be given in a concentration camp. For that reason I see few disadvantages whatever in placing Japanese here in concentration camps. If Americans are not allowed at large in Japan (not even Nisei I understand), I see no reason why Japanese or Americans of Japanese parentage should be allowed better privileges in this country. Of course, technically and legally, the Americans born in this country of Japanese parentage are entitled to the same privileges as the rest of us. It is a most awkward and embarrassing question to solve. However, in this war emergency I would solve it on the side of protecting the United States, let the chips fall where they may.

The above is, of course, solely my own personal viewpoint and in no way necessarily implies agreement or approval by any group.

(Following are extracts from an article by Mr. Ward, written by him after the radio broadcast mentioned above and published in Current Life, San Francisco, Calif.:)

HOW LOYAL ARE OUR JAPANESE-AMERICAN CITIZENS? BY STUART RICHARDSON WARD

* * * * * * *

Little is gained by holding such a discussion before the American public unless it is conducted with complete frankness * * * "with all the cards on the table, face up." A meaningless exchange of pleasantries or of mutual sympathies may have a place somewhere, but I try never to forget that an American radio listener has only to turn a knob to shut off such a program. He does like, however, to hear frank answers to frank questions of immediate interest. Therefore, we centered the concluding minutes of our discussion of "How Loyal Are Our Japanese-American citizens?" on the following questions which today are in the minds of most citizens:

(1) To what degree are American-born Japanese still dual citizens, thus owing official obedience and military service to both the Imperial Japanese and the United States Governments? Why don't those who possess such citizenship get rid of their Japanese affiliations?

(2) To what extent do, or would, Japanese-Americans cooperate with the Federal Bureau of Investigation and the Army and Navy counter-espionage services by giving information as to any seditious activities against the United States? Is there any good reason why they shouldn't?

(3) Are there anywhere in the United States any Japanese-Americans who during the past 10 years have vigorously and publicly condemned Japan's military invasion of China, or its proposed "new order" in Asia?

Without taking sides as to the facts of the issues under discussion, I would, in answer to the editor's request, suggest that the average patriotic American citizen would comment on the above subjects something like this:

(1) As to dual citizenship: A citizen of the United States who is by whatever affiliation also a citizen of, or subject to, any control by another nation, should take immediate, energetic, and final steps, even at considerable personal inconvenience and expense, to get rid of such confusing and suspicion-arousing foreign ties.

(2) As to aiding the counter-espionage services of the United States to preserve the safety and security of our country: Patriotic United States citizens believe it of paramount importance that any citizen who knows or who has good reason to suspect that anyone is secretly working against the safety of the United States by giving information to, or otherwise aiding, any foreign nation, should immediately report to the proper agencies. This question does not imply that any considerable number of Japanese-Americans are disloyal, but everyone knows that, in all other nations at least, there has always been a disloyal minority among immigrants or persons of immigrant parentage.

(3) As to criticism of the Japanese Government: the Gallup and other polls indicate Americans are overwhelmingly opposed to Japan's invasion of China and to her efforts to gain control of other areas, particularly the Dutch East Indies, in which the United States has vital interests. The average American citizen unhesitatingly and vigorously expresses his resentment over Japan's violation of the Nine-Power Pact and her other acts of aggression in a world which was trying to live down its past.

* * * * * * *

It is alleged that employers of other ancestry often will not employ Japanese-Americans and so leave them entirely dependent for jobs on firms owned by first generation Japanese immigrants.

Another reason advanced for lack of more enthusiastic participation in citizenship was resentment against reported discriminations now in existence. Yet another reason was reluctance to be "disloyal" to other members of the Japanese and Japanese-American community.

While recognizing the strength and normalcy of such ties, frankly, to the average American listener such explanations simply bear out, instead of disproving, the prevailing suspicion that because of the injury it would do to their economic, social and other relationships, numbers of Japanese-American population do not (perhaps, in their own judgment, cannot) give full and whole-hearted loyalty to the United States. In other words, in going through a discussion of this problem we, like Omar, "came out of the same door wherein we went."

Our Japanese-American citizens find themselves members of an exceedingly small minority isolated here and there among the 130,000,000 population of the United States. They and many of their friends fear that their already difficult situation may, in event of war, become more serious. Many believe the only way to better their position in the community is for them vigorously and at any cost to definitely cut all ties that separate them from their fellow American citizens, that is, to wipe out all dual citizenships, to give full information regarding any disloyal activities of which they may learn, and to unite publicly in condemning in no uncertain terms present Japanese aggressions in Asia. Hard though this may be, any less positive steps may be inadequate if present tension over the Pacific Ocean eventuates in a war we all want to avoid.

EXHIBIT 12.—JAPANESE-AMERICAN LOYALTY TO THE UNITED STATES

REPORT BY KARL G. YONEDA, SAN FRANCISCO DOHO CORRESPONDENT, SAN FRANCISCO, CALIF.

FEBRUARY 23, 1942.

In behalf of the bay area Doho readers (about 150), I wish to state that we are and will cooperate with the United States Government to our fullest extent.

If it is deemed a military necessity that all Japanese nationals and American-born Japanese should be evacuated from military areas, we are ready to go. We hope, however, that the evacuation orders—dates, methods, destinations, and resettlement of those concerned shall be made clear to everyone to avoid confusion and unnecessary hardships.

Impressions are being created to the public that "Once a Jap, always a Jap" and "every Japanese in America is dangerous to national defense." General statements such as these painting the entire Japanese race as pro-Japanese fascists is not true and needs some explanation in defense of those who have fought the Japanese militarist clique.

As far back as 1485, Japanese farmers in Yamakishi revolted against the tyrant rule of Samurai (Noblemen's army) and had as their slogan "Down with Samurai." Since Japan opened her door to western civilization, we have witnessed many similar revolts with slogans such as "Give us three freedoms—assembly, organization, and speech"; "Demand people's freedom"; "Free republic and people's congress." These will show that there were and are demands for democratic institutions among the Japanese people. Since the Manchurian invasion, in 1931, the Japanese fascist-police have imprisoned more than 5,000 workers, farmers, students, and women for antiwar activities and an unknown number have been executed.

The same holds true among Japanese in America. There are many Japanese nationals and Americans of Japanese descent who have openly denounced Japan long before December 7th and they continue to be antifacist, anti-Axis, and are giving every aid to the United States in order to win the war. We know that there are fifth columnists among the Japanese aliens as well as American-born Japanese. Information on pro-Japan activities has been and is being turned over to the proper authorities.

The Japanese weekly Doho (brotherhood) published in Los Angeles has carried on anti-Japanese-militarist work for the past 4½ years. The Nisei Young Democratic Club of Oakland, Japanese-American Committee for Democracy in New York and hundreds of Japanese (American and foreign-born) members in the American Federation of Labor and Congress for Industrial Organizations have passed resolutions against Japanese aggression many months before Pearl Harbor.

Our loyalty is first and foremost to the United States and its democratic principles and we are willing to make any sacrifice necessary to safeguard this country.

I hope this will help clarify some of the misinformation that has been expressed before your committee and has appeared in the press.

Exhibit 13.—Letter to Lt. Gen. John L. DeWitt from Lincoln Kanai, Young Men's Christian Association, Making Recommendations on the Problems of Evacuations from Military Areas

March 6, 1942.

Lt. Gen. John L. DeWitt,
Commander, Western Command Headquarters,
Presidio, Calif.

Sir: The following recommendations are submitted for your consideration in the problems of evacuating nationality groups—aliens and citizens—from certain areas along the Pacific coast:

1. The order of dangerousness as announced by the western command headquarters should be changed to read the following:

(1) All persons who are suspected of espionage, sabotage, fifth column, or other subversive activity.
(2) Japanese aliens.
(3) German aliens.
(4) Italian aliens.
(5) American born persons of enemy parentage.
(6) All Americans.

The order of having Americans of Japanese lineage in among the aliens is diametrically opposed to the Constitution and the objectives of the war.

The announced classification is developing a fatalistic attitude for those who have lived in this country and are reared through its institutions. This discrimination and permanent disaster can be remedied before a second order is issued.

2. The necessity of a hearing board for aliens and citizens because even apprehended persons are given a fair trial. This should be done by a competent Federal agency.

3. The handicapped, old-age, bed-ridden, needy cases to remain, as well as adequate plans for those evacuated.

4. Families with sons and husbands in service of armed service be given consideration to all alien families on equal basis to remain as this has been announced to apply only to Italians and Germans.

5. Evacuation plans to consider European experiences so that tragic mistakes are avoided. Evacuation should be done with the objective of establishing ideal American communities.

6. Professional students should be permitted to finish their training. (*a*) Descendants of aliens should be used to advantage realizing their abilities and training both during and after evacuation.

7. Over-all unity in alien problems are needed so that news may be directed for the best interest of unity in human welfare. All information and news releases pertaining to aliens to be issued through a centralized command.

8. The Federal Government to assume the total responsibility of cost of movement, resettlement, and rehabilitation of evacuees.

9. Custodianship of property so that citizens will not lose their capital assets through evacuation or selective service draft.

Respectfully submitted.

LINCOLN KANAI,
Young Men s Christian Association.

EXHIBIT 14.—AN APPEAL IN BEHALF OF ANTI-FASCIST ALIENS

REPORT BY CHARLES H. TUTT, SECRETARY, SAN FRANCISCO CHAPTER, MAZZINI SOCIETY, SAN FRANCISCO, CALIF.

The following is a short description of the conditions which have developed in Italian liberal circles after the outbreak of the war and of the suggested remedies for a state of affairs which obviously demands immediate and bold governmental action.

As a consequence of the state of war between the United States and Italy, all Italian natives, citizens, subjects, and denizens have been declared enemy aliens.

A small number, about 250, classified as dangerous, have been apprehended and, unless cleared by the Special Board of Inquiry appointed by the Department of Justice, will be interned for the duration of the war.

A certain number of restrictions have been imposed upon all enemy aliens, namely:

Surrender of firearms, cameras, and short-wave radios, prohibition to move from place to place out of the boundaries of the city, town, or village, without permission to be applied for 1 week in advance, new registration and fingerprinting and, after the registration, obligation to carry a special identification card.

It is understood that further measures are now being taken, to wit:

(*a*) Enemy aliens will be completely barred from certain districts, and if the figures given in the press are correct, over a hundred and sixty thousand will have to move to places in the interior, a migration which can well compare with Hitler's and Mussolini's transfer of German-speaking populations from southern Tyrol.

(*b*) Enemy aliens who, having filed their first naturalization papers, were entitled under the Selective Service Act to be drafted into the United States Army, are now being excluded.

That a certain amount of personal inconvenience and possibly some injustice should be inevitable at the start, when there is a war on and the safety of the country must be the paramount consideration, is well understood and generally accepted.

However, now, after almost 2 months, the reaction is somewhat different.

The Fascist Italian, devoted servant of his masters Hitler and Mussolini, who has been interned, or who is going to be placed on bail or parole, knows very well that he has received exactly what he deserves and that the measures taken by the administration are very rightly taken in legitimate self-defense. He cannot and presumably does not complain.

The decent Italian, who out of ignorance, stupidity or misguided feeling of loyalty to the old country, at the bottom of his heart still hopes for a fascist victory, though restraining from any unlawful action in this country, of which he has sense enough to acknowledge at least the generous hospitality, realizes that his feelings and loyalties have to be taken into account and that a country at war is bound to protect itself not only against what the enemy in its midst actually does, but against what he might conceivably do.

Those who are really aggrieved, those who suffer morally and materially, those who are hurt because they deeply feel and resent the injustice done to them are the Italian anti-Fascists, those who have devoted all their lives and efforts to the struggle against fascism, those who have abandoned their country, their positions, their families, those who have tried year after year to warn the world, to warn this country, of the impending dangers of fascism, those who have tried to open those eyes that only Pearl Harbor has finally succeeded in getting opened.

It seems incredible for these veterans of the anti-Fascist war, for this advance patrol of the United Nations who have been the first to bear the brunt of the totalitarian brutality, to be forced to carry the label of enemy aliens, to have to apply for permission for moving about, and most of all to be excluded from the armed service in the United States Army.

They are becoming day by day more demoralized and resentful. They cannot understand that in this war, which is admittedly, not a national war in the old sense, but is a conflict of ideas, of principles, of human and international ethics, they should be forcibly confined to the adverse camp, while the open champions of nazi-ism and fascism, the various Trombettas and Cirscuolos can, by simply producing their naturalization papers, wrap themselves in the American flag and continue undisturbed with their old activities.

The feelings of the old Italian anti-Fascists and of the refugees are even more hurt as they are well aware that a definite clean-cut precedent exists, and if it could be adopted in this country, the problem could be easily solved, not only to their benefit, but to the ultimate benefit of the war effort of the United Nations.

The precedent to which reference is made was set by England in 1939, and except for a short interruption during the days of the invasion scare, is still in full force and effect.

When the war started, the British Government realized that a large proportion of the so-called enemy aliens in the country, that is to say, people who were traveling on German and Austrian passports were political, religious, and racial refugees, and that it would have been, on one hand, profoundly unfair to consider, brand, and treat them as aliens, and on the other hand, it would have been equally mistaken to deprive the Nation of the services of many capable, intelligent, trained men and women whose feelings were likely to be, at least at that time, much more bitter against Hitler and his Nazi gang than the feelings of any Briton in the blessed islands.

The solution was easily found and it consisted of creating in every district special tribunals, presided over by a judge, magistrate, or lawyer of great experience, assisted by advisors and interpreters provided by the recognized refugee organizations. These tribunals examined all enemy aliens, considered the evidence collected as to their respective cases by the police, the various intelligence services, and the refugee organizations, and according to the results of the inquiry would classify the alien in one of the following three classes:

Class A. Reputed dangerous—Interned for the duration of the war.

Class B. Nondangerous—Presumed friendly, but not showing complete evidence of democratic background and sentiments. Generally free, but subject to certain controls and restrictions.

Class C. Definitely loyal persons—Free from whatever restrictions, except in strictly military areas. May also be freed of this restriction upon application to the local authorities. Class C aliens, were officially defined friendly aliens victims of Nazi oppression. Their alien registration cards (issued to all foreigners residing in the United Kingdom) which have been marked with a red label "Alien enemy" were changed back into the ordinary black one of friendly aliens.

A good many of these class C aliens were subsequently admitted into the Army, to special civil defense services, war industries, and not a single case has been heard of a class C alien having been caught engaging in any disloyal activity.

It is realized that the terms of the problem in this country are not identical with those of England. The number of Italians in the United States of America is no doubt much larger than the number of Germans and Austrians in England. The proportion of anti-Fascist exiles and of political, racial, or religious refugees on the other hand is much smaller.

The wise solution is probably this:

Boards of inquiry or tribunals should be set up, more or less along the same lines as the English ones. Not all Italians, however, should be required to submit their cases. The great mass of nondescript immigrants and residents, for lack of political maturity and understanding and possibly out of fear of being accused of disloyalty to their native land and to be made to suffer in the future, will probably accept the label of enemy aliens and will not bother to apply for an investigation and a discriminating treatment. But the anti-Fascist old guard, the political, religious, and racial refugees from Fascist Italy, will be given a fair chance of clearing themselves and thereupon may be classified and treated not only as friendly aliens, but as actual active allies in this gigantic struggle which is not only intended for the defense of American soil and ways of life but for the restoration of justice and liberty to the conquered nations, including Italy. The contributions they can offer are not to be calculated only in terms of men ready to join the armed forces of the United Nations, bringing the benefit of their often remarkable military experience, or of men who could aid in the war industry. They could cooperate with the latent revolutionary forces in Italy and in Europe generally; they could work with important Italian communities in Latin America and most of all among the Italo-American masses in this country, who after years of subtle and persistent Fascist propaganda, need enlightenment, encouragement, and inspiration if they are to be persuaded to work full heartedly for a democratic victory.

Exhibit 15.—Hardship Cases Created by Evacuation Orders

REPORT BY MINNETTE LUCKNER, 1377 BROADWAY, ALAMEDA, CALIF.

February 23, 1942.

In your alien investigation, some consideration should be given to those cases where actual American citizens have through some technicality become classified as enemy aliens. I cite below three actual cases that could be probably multiplied by hundred—and these cases are perhaps the most tragic of all.

Case A is 72 years old and was brought up by a pioneer California family and was I believe a school teacher here for many years, but has been retired for some time in her own little home in Alameda. She always took an active part in civic affairs and was considered by all who knew her an ideal citizen. Last year when she attempted to secure her birth certificate for some purpose she found that she was not born in San Francisco as she always believed, but that she was born in Germany and was brought here at the age of 1 month. Her parents had been killed and she was brought up by an American family who did not think to tell her she was not an American citizen. To call this woman an enemy alien or an Axis national is ridiculous. Yet under the present law this woman has been forced to leave her home and community where she has lived for 72 years.

Case B has been in America for about 40 years. She applied for citizenship in 1922 and a certificate of citizenship was granted her. This certificate of citizenship was her proudest possession, and she has done everything to live up to her conception of a loyal American citizen. Last year for some reason or other she chanced to show her certificate to an immigration official who told her that it was dated on the same day that a new law went into effect raising the requirements for citizenship and that she was not a citizen, but an alien. She too has been forced to leave her home and her family, though in actual fact she has fulfilled all the duties of a citizen.

Case C has been in America over 65 years. In 1885 she married an American citizen. She had sons serving in the United States Army in 1917. She has been a voter and taken part in all civic affairs. To all who know her she is a loyal and blameless citizen. But her husband's naturalization papers were destroyed over 50 years ago, and she was told if she did not have his papers she would have to register as an alien, and wishing to do the right thing, she did register, stating the facts at the time of her registration. If all persons who had lost their citizenship papers had registered as aliens the Government would be very busy with these cases alone, but there are only a few who did this, and they should not be made to suffer for their honesty. In case C a home has already been broken up

EXHIBIT 16.—LETTER DISCUSSING THE REFUGEE PROBLEM

HUGO D. NEWHOUSE,
San Francisco, Calif., February 20, 1942.

TOLAN CONGRESSIONAL COMMITTEE,
San Francisco, Calif.

GENTLEMEN: Re hearings to be held by you, I desire to present the following cases of personal interest because of relationship.

I have a cousin, an American citizen, whose wife was born in Germany. She will be eligible for citizenship in probably a year or thereabout. The husband is in business in San Francisco. They have a 4-year-old boy.

I have other relatives who, although German-born, have not been in Germany for many years, most of them getting out between 1933 and 1935. They are all German-Jewish refugees. They have all applied for American citizenship within a very short time of their arrival in this country. So far as my relatives are concerned I know that they are absolutely loyal to the American ideals. I think this is likewise true of all German refugees, whether they be Christian or Jew, because many German Christians were compelled to leave Germany because of their disagreement with the Nazi ideology.

For the last 4 years I have been working with many refugees, advising with them as to their problems, and as yet I have found no single refugee who was not fully in accord with the American viewpoint, and all of them had filed applications for first papers shortly after their arrival.

In addition to the refugee relatives in the United States, I have eight German refugee relatives in England. After residence of approximately a year and an examination by the British authorities, they were designated as "friendly aliens," and were granted the privilege of working, of doing volunteer fire service, and were treated and rated practically on the same basis as a native-born Englishman. Prior to the time that they were investigated they were not permitted to work or to participate in any type of defense work or volunteer fire work.

Being personally interested in the question, I desire to express the following views:

(1) That every alien be passed on by the Federal Bureau of Investigation or some other appropriate body, and if there is the slightest doubt as to their loyalty, that they be interned.

(2) If, after investigation, it is concluded that they are American in thought and action, that they be classified similar to the British system, as friendly aliens, and be treated accordingly.

If it is your desire I am willing to appear and explain the matter at greater length.

Yours very truly,

H. D. NEWHOUSE.

EXHIBIT 17.—REPORT BY SAN FRANCISCO COMMITTEE FOR SERVICE TO ÉMIGRÉS (FEDERATION OF JEWISH CHARITIES) SAN FRANCISCO, CALIF.

In response to the invitation of the Tolan congressional committee, the San Francisco Committee for Service to Émigrés (an organization set up to help in the economic and social adjustment of refugees from foreign countries) is herewith submitting factual data concerning the German and Italian refugees in the northern California area.

We recognize that the safety of the country must be the paramount consideration in determining what measures should be taken in connection with the enemy alien problem. But we have confidence that the authorities wish to afford fair treatment to all concerned and will be guided by relevant information.

We wish to emphasize that the facts and conclusions presented are not limited to any particular group, but are set forth in the interest of all refugees.

By the term "German and Italian refugees" as here used, we refer to those persons forced to leave Germany or Italy since the accession of the Nazi or Fascist regime because of extreme discrimination and persecution by these governments.

The number of such refugees in northern California now totals 5,000, of whom 3,500 are located in San Francisco and the rest scattered throughout the area down to Santa Barbara County. A large majority of these people came to the United States and to California since November 1938 when there was widespread rioting throughout Germany, following the assassination of a German official in Paris.

For an appreciation of the attitude of the refugee toward the German and Italian Governments, and in order to make clear that they should not be classified as alien enemies, it is essential to review certain of the outstanding measures taken by the governments against the groups in question.

Germany.—When Hitler came to power in 1933, there began a reign of religious persecution leveled first against Jews and later against Protestants and Catholics. There were anti-Jewish boycotts throughout Germany, destruction of property, denial of the right to police protection, the exclusion of professional men and women from academic institutions, and dismissal of those holding public and quasi-public positions. Subsequently, assets were blocked and business and other property confiscated by a variety of Government decrees. On November 12, 1938, a fine of 1 billion Reichsmarks was imposed on the Jews of Germany as a result of the assassination of a German official in Paris. On November 16, 1938, children of this group were excluded completely from German schools, both public and private. In January 1939 decrees were issued forbidding Jews to participate in business and trade. Finally, under the Reich's Nationality Act of November 5, 1941, all Jews residing abroad were deprived of their citizenship.

In 1939, the Nazi terror against religious groups spread to the Protestants, and as a phase of this persecution, the Reverend Martin Niemueller was sent to a concentration camp. At about the same time Catholic churches were stoned and priests and nuns mistreated. Last, all properties of the Christian Science churches were confiscated and practitioners and lay leaders of this faith imprisoned.

In addition to the disabilities above-mentioned, members of the groups in question have been discriminated against in a hundred and one ways. For example, those still remaining in Germany receive short food rations and may not purchase at regular hours. Thousands have been forced into compulsory labor service and large numbers have spent varying periods in concentration camps. Every member of this group who was able to leave Germany has done so; at present only 180,000 remain in Germany proper as compared with approximately 600,000 who were there in 1933.

Italy.—The same sequence of oppression and discrimination developed in Italy after November 15, 1938, beginning with the royal decree depriving Jews of positions in educational institutions. Subsequently, members of this group were not permitted to enroll in any Italian educational institutions. They were deprived of all civil and military positions. Finally, certificates of Italian citizenship which had been granted to foreign Jews after January 1, 1919, were revoked.

What sort of people are the refugees.—These persons have all been admitted as regular immigrants under the rigid procedure of the Federal Government which has been particularly selective during the last decade. They have had to undergo severe scrutiny by our consular agents abroad as to moral character, general integrity and reputation in the communities from which they came.

Practically no refugee who came to the United States since 1933 has become a public charge. It is of interest that although a large proportion of these persons were formerly professional and businessmen and skilled workers, they have accepted without question any type of employment in order to become self-sustaining.

Considerable data is at hand showing that a number of refugees have created new enterprises, giving employment to a large number of American workers and that they are contributing new processes, new skills and new production to this country.

Information available for the northern California area indicates that there has been practically no crime or juvenile delinquency among the refugee population during all these years.

(Attached to this statement are short significant case histories which have been chosen at random from the files of the organization.)

What is the attitude of the refugees toward the United States.—One objective measure is the avidity with which the refugees apply for citizenship. Almost all sought their first papers immediately upon legal admission to the country.

Another indication of the eagerness with which refugees have sought to become integrated into American life is their universal attendance at Americanization and English classes, established by the public schools and by various other community facilities.

Aliens of enemy nationalities prior to the declaration of war were subject to draft regulations. Hundreds of refugees throughout the country are now serving with the United States armed forces.

Refugees in large numbers have volunteered for service to the local civilian defense organizations to aid in the protection of their new homeland.

Conclusion.—It should be apparent that the German and Italian refugees, who have come to the United States since 1933, should not be classified as "enemy aliens" in any correct sense of the term. They were persecuted almost beyond human endurance in the countries from which they came, their properties were confiscated, their basic human rights violated, their citizenship canceled. All refugees now in the United States are "stateless," they have been disowned by the countries from which they came. Obviously they have every reason to abhor the German and Italian Governments which despoiled them and drove them out, and contrarywise, they have every reason to love and to serve the United States which offered them sanctuary and an opportunity to live again as freemen.

Specific policies and procedures for dealing with the broad problem of the enemy alien must, of course, be dictated by military considerations. But the facts indicate that it is not necessary nor fair, nor in the best interests of the country to deal en masse with foreign nationals.

It should be possible to set up some practical mechanism through creation of boards, under such supervision or direction as may be deemed wise or necessary from the standpoint of military necessities, which boards could quickly determine the aliens of doubtful loyalty.

From all the facts available it is reasonable to conclude that the incidence of disloyalty among the refugee group is just as negligible as in the general American population.

It is suggested that after due hearing and investigation, those who are recognized as being beyond suspicion, should be removed from the enemy alien classification.

THESE ARE TYPICAL REFUGEE CASES TAKEN AT RANDOM FROM THE FILES OF THIS ORGANIZATION

Mr. C., 51 years, German, attorney at law, became judge of municipal court in Frankfort/M. in 1927. Served for 7 years. Afterward worked as journalist. In 1937 was arrested for insult to the Black Corps, S. S. Troup Journal; imprisoned 4 months. Emigrated to the United States in 1938. Came to San Francisco, 1939. His wife is a dietitian. The couple is operating a moderately successful boarding house. Mr. C. supplements the family's income by working as bookbinder and radio script writer. He is about to begin work as cemetery caretaker.

The L. family is a young German couple. Mr. L., an attorney, with experience in banking and export business. "Aryanization" of German industry forced Mr. L. to leave his position. They arrived in San Francisco in 1938. Mr. L. secured a position with a local export firm. Mrs. L. became a domestic worker. Most of the family earnings were set aside to assist their relatives to come to United States. Mrs. L.'s parents are in United States now. Her brother was seized by the Nazis and shot. Mrs. L. trained herself for office work and is now holding a clerical position.

Dr. O. became a professor of the University of Venice at the age of 29. When his career in Italy terminated because of restrictive laws against his race, his emigration to the United States was made possible through kindness of an American schoolmate on basis of a temporary position with a private college. When this position terminated in 1940, an opportunity arose to edit an Italian program for one of the local radio stations. Because of his anti-Fascist beliefs, Dr. O. was found to be valuable to the radio station in exposing the fifth-column activities of Axis Nations in the United States.

The N. family came from Italy in June 1940. They have four children; the youngest was born in San Francisco. Mr. N. had been very successful in Milan where he managed a toy factory and exported his product to all parts of Europe and South America. His life here at first was handicapped by poor command of English and a serious illness. He is in good health at the present time and his English is greatly improved. He created his own business, which consists of buying and selling used cardboard boxes. He has an excellent business reputation and the family is now completely self-supporting.

Mr. S. came to San Francisco in 1939 with his wife and young daughter. He had been owner and manager of a large bedding and mattress business in Germany. Through his own efforts Mr. S. was able to open a small furniture and bedding store in a small town. Within a year Mr. S. opened a second store He was on the point of buying a house and opening a third store when his town was included in the recently declared "prohibited zone." Mr. S. returned to San Francisco, prepared to begin all over again. Through the help of friends, he has just secured a position as a learner in a San Francisco mattress factory.

Dr. S, formerly a prominent physician in Germany, was deprived of the right to practice medicine there. All the possessions of the family were confiscated. They came to San Francisco where for several years they subsisted on the barest necessities, while Dr. S served his internship and took the State board examination. Since 1940 Dr. S has again been able to practice and is now supporting his family.

Mr. X was a director of a large chain of department stores. The Nazis "Aryanized" his business and sent him to a concentration camp. Subsequently, he was released and the family came to San Francisco where with the benefit of a small loan they opened a small cosmetic establishment. Mr. X left the enterprise in the competent hands of his wife, and secured a position as night watchman to earn living expenses for the family during the development of the business.

The A's consist of a couple and three children. Mr. A's family had been large woolen goods manufacturers for over a century. Mr. A was manager of the mills which employed 500 workers. He was a highly respected man in his community, president of his church and of the local welfare agency. The Nazis forced him to sell his business after which he was arrested and thrown into a concentration camp. He was fortunate in being able to leave Germany in 1938. He is now working as a salesman in a men's haberdashery store in a small neighboring city.

The T family came from western Germany where Mr. T was a successful commission merchant. His business was taken away from him. The T's came to San Francisco in 1940. Mrs. T developed a modest dressmaking trade. Because of Mr. T's advanced age he was glad to accept anything available within his physical ability; he is now employed as a news vender.

The E family, consisting of a mother and two children, came from Germany in the winter of 1940, after a hazardous journey via Shanghai. While in Shanghai, and under tremendous handicaps, Mrs. E was able to earn a livelihood for her family by manufacturing gloves. Soon after admission to the United States, Mrs. E and her daughter earned their livelihood by working as domestics. One of the children went to school and worked as a newspaper delivery boy after school hours. The father is still in Shanghai; the family could not come together because Mr. E could not find a guarantor in this country. The mother and her two children are helping Mr. E in Shanghai and sending some small sums of money to a relative in a camp in southern France.

Mr. and Mrs. O are natives of Neuremberg, one of the centers of Nazi activity. Mr. O was a well known distributor of wines and spirits, doing business in every important country in Europe. After the confiscation of their fortune and much suffering at the hands of their fellow townsmen, the O's arrived in San Francisco in December 1939. Despite their former social station, Mrs. O gladly accepted a position as housekeeper and Mr. O as a doorman in a San Francisco hotel.

The U family, consisting of husband, wife, and two children, left Germany in 1938 when their prosperous freight-forwarding business and all their assets were confiscated. They went to Denmark where another son was born. Foreseeing the Nazi invasion of their new refuge, the U's, after obtaining the necessary credentials, made their way through Russia, Siberia, and Japan and finally arrived in San Francisco. Once here Mr. U with complete disregard of the difficulties in the way of a change from a sedentary occupation to one of heavy physical labor, went into warehouse work, since this was the only available opportunity to earn a living.

Exhibit 18.—Refugees From Axis Countries

REPORT BY MONROE E. DEUTSCH, VICE PRESIDENT AND PROVOST, UNIVERSITY OF CALIFORNIA, BERKELEY, CALIF.

March 7, 1942.

In connection with the inquiries which the committee under your chairmanship is making with reference to the problem of aliens and their possible evacuation from the area along the Pacific coast, I am happy to express certain views which I hold very strongly with reference to German and Italian emigrees.

It is, I am sure, needless to say that any person, German, Italian, or even American, who in the slightest acts as an agent for one of the Axis Powers and is guilty of fifth-column activities or sabotage, should be immediately dealt with, and dealt with most vigorously.

It must not be forgotten, however, that of the German emigrees who have come to us since Hitler made himself master of Germany, the vast majority have either been driven out of Germany or fled from it on account of political or religious reasons. Many of these unfortunates fled from Germany to other countries, e. g., Czechoslovakia or Austria. When these countries fell, they fled to France; on its fall they sought to make their way to this country, hailing it as a land of asylum. Many of them have suffered irreparable hardships; they have been in concentration camps; they have been beaten; members of their families have been murdered or have committed suicide; their properties were taken away; their opportunities to continue their life work were destroyed. In short, their lives were practically wrecked. They then came to us and amid the greatest difficulties they have endeavored to build up new lives. They are willing to do anything. I know of one man, a lawyer in Germany, who presses neckties.

To drive these people from their newly made homes and the occupations which they have finally been able to attain; to knock down, as it were, the slender scaffolding of a new life would be a tragedy and I feel convinced that if it were to take place it would result in a large number of suicides. Indeed, one of these emigrees said to me: "Life has been so hard on us, we have had so many trials that we could not stand having to endure evacuation which would mean a destruction of all that we have attained in this land. My wife and I would resort to pistols."

On the campus of the University of California we have 11 Germans teaching; of these 11, 8 are refugees from Hitlerism on racial, religious, or political grounds. They have, of course, lost their German citizenship through expatriation but are regarded as Germans in the eyes of our law. In each case we feel convinced of the loyalty of these men to our form of life. The other 3 Germans are not technically refugees, but all are clearly enemies of Hitlerism and what it stands for.

We have also two Italians on our faculty, both of whom are refugees from the Fascist regime on religious and political grounds.

It is needless to point out the loss that American scholarship would sustain if these persons were to be removed from their university connections. Obviously, in their cases, their work in any real sense would be ended by severance from a higher educational institution.

Let me give you one or two illustrations of the group. We have a physician who is an instructor of medicine in our medical school. He is an Italian and was for some 3 years (1933–36) director and chief of staff at the American Hospital of Florence, but he lost this post because of his anti-Fascist opinions. I understand that there are in this country Americans who were patients of his in Florence and who can vouch for the fact that he lost his position because he was hostile to fascism. He is also Jewish and is an emigree from his native land. The family is a most cultivated one. The daughter is a student at the University of California; the son is employed in a bank in San Francisco. His coming to our medical school was through Dean Langley Porter who recognized his high ability as well as his splendid character and personality and felt that it would be an asset to add such a person to our staff.

In another case we have a member of the faculty of the medical school who is himself Jewish but his wife is not. They endeavored to force her to divorce her husband and she would then have been free to remain in Germany. She refused to do so and together they came here. Curiously enough, this man is a citizen of Germany though born in Grodno, formerly Russia, now Poland. Both of his parents are Russians.

There is also the case of a distinguished physicist who was a member of the faculty of the University of Berlin. When Hitler took over, he went to Brussels where on account of his eminent standing he was made a professor at the university. The Germans took over Brussels, and one day as he was walking along the street the police intercepted him and informed him that he must come to the station to have his papers looked after. He did so and was whisked away to a concentration camp in southern France. Eventually he was able to make his way out. He came to this country where his high scholarship was known and recognized.

We have also many students who are German and Italian emigrees. Amid the greatest of difficulties owing to language, unfamiliarity with our conditions, and, above all, economic difficulties, they are making their way and training themselves for useful lives in this country.

I am sure I need not convince you or your colleagues, that none of us can feel the bitter hatred of nazi-ism or fascism that these people do who have suffered so cruelly at the hands of the totalitarian regimes.

I am sure, too, that knowing the loyal ones we would be able through their assistance to ferret out any who may be disguising themselves as refugees but are not. A few days ago a young man was in my office sho said that he suspected that a certain person masquerading as a refugee was not what he claimed to be, and asked me what to do. I advised him to go immediately to the Federal Bureau of Investigation and report the situation.

It is my sincere hope that in the interest of justice and the maintenance in the hearts of these unfortunates of confidence in the fairness of our country, your committee may propose a method by which exceptions from the evacuation order will be granted to, such persons as those that I have described.

EXHIBIT 19.—TEXT OF A RADIO ADDRESS GIVEN BY HON. RALPH L. CARR, GOVERNOR OF COLORADO, ON FEBRUARY 28, 1942

People of Colorado:

In answer to the call of our country, Colorado has done everything in her power to uphold the hands of our national leaders in carrying on the battle for humanity, for liberty, and for civilization. Our people have sent their dearest possessions to the ten or a dozen battle fronts where the Stars and Stripes are leading in the fight on savagery, paganism, and the world-wide imposition of servitude upon freemen.

Today, because of a lack of information and perhaps also because of an unhappy interpretation which has been placed upon certain rumors, Colorado as a State is threatened with a charge of a disinclination to cooperate in essential war efforts. A suspicion of a lack of patriotism which is not deserved and which cannot be permitted to go unanswered has been raised.

A few weeks ago rumors came that alien residents of the Pacific Coast States of Japanese origin were to be evacuated and perhaps 3,500 would be sent to Colorado. From some unidentified source came another suggestion, probably born of unfriendly propaganda parentage, that California was attempting to dump a bothersome problem into Colorado's lap. The first inclination of every Coloradan was one of resentment.

There was a feeling that we did not want enemy aliens within our borders who might acquire property rights, who might compete with Colorado labor, and whose presence would be a constant menace and threat to our peaceful conditions of life.

Acting on this impulse, many persons voiced a protest by mail, by telegraph, and, in some instances, through statements in the daily press. Colorado has been placed in a peculiar and an embarrassing light. An official request has been made for a survey of our facilities for harboring aliens of all classes—Italians, Germans, and Japanese. Last week a Presidential order was issued directing the establishment of military zones in the United States, from which any person can be excluded. Clearly, this refers specifically to the west coast.

In the hope that I may assist in clarifying the situation by establishing our position toward this and other national problems and our patriotism and sincerity of purpose, this announcement is made. Colorado must never be charged with a failure to cooperate in the gravest moment of our Nation's history.

Three months ago no American dreamed that the Japanese or any other people could dominate the Pacific by force of arms. Today many strongholds, including the Gibraltar of the East, of Singapore, have fallen. Our own ships, our own air forces, our own Army have suffered severe losses. The blood of American soldiers stains the soil of nearly every island in the Far East.

Tonight, as Gen. Douglas MacArthur and his glorious band of Americans and Filipinos set new records for bravery and resourcefulness in the Bataan Peninsula in the face of terrific odds, we have finally come to guess the seriousness of the situation. The enemy controls the very conduct of life in every corner of the world since it has seized the countries where essential raw materials are produced.

There can be no question that the attacks on Pearl Harbor and the Philippines were aided by fifth columnists. The potency of that evil organization has been proved in every European country which has fallen, exemplified by the desertion of France, as Winston Churchill described it, and the rape of Norway and the rest. The overthrow of any nation is assured when the approach of an attacking force is made smooth and paved by subversive activities within.

Along the Pacific coast there are thousands of persons who are not friendly to those things which we call American. The wire for the survey suggests that they are Germans, Italians, and Japanese. Only Monday night of this week the beautiful country surrounding Santa Barbara in southern California was attacked by an enemy submarine which came to the surface and hurled shells at a great supply of gasoline. The enemy has become so confident that he knocks at the very front door of one of the great cities of the world and attacks the mainland of the United States.

Military strategists say that if Java falls, then Australia will constitute the only barrier between California and the enemy. Fifth columnists—our enemies— are within signaling distance of any plane, any battleship, any submarine which approaches our coast. Attacks similar to that one of Monday night, fraught with infinitely more serious consequences, are to be expected any minute.

And if Australia, New Zealand, Java, and Sumatra fall, we know what the next move will be. We will be put to it to protect our shore line from Canada to Mexico against the most aggressive, the most effective, the most dangerous war machine that has ever been assembled. The defense of California is the defense of Colorado, of the United States of America, of the cause of the United Allies. It is the defense of the very future of that civilization which we value above everything else.

If those who command the armed forces of our Nation say that it is necessary to remove any persons from the Pacific coast and call upon Colorado to do her part in this war by furnishing temporary quarters for those individuals, we stand ready to carry out that order. If any enemy aliens must be transferred as a war measure, then we of Colorado are big enough and patriotic enough to do our duty. We announce to the world that 1,118,000 red-blooded citizens of this State are able to take care of 3,500 or any number of enemies, if that be the task which is allotted to us.

When our boys are facing thousands of them along the battle fronts of the Pacific, when Americans are being cut down by the withering fire of machine guns, when our ships are sunk by treacherous planes while their diplomats sue for peace, when our very shores are shelled by submarines, Colorado will not complain because she is asked to take care of a handful of undesirables whose presence on the coast might prove the difference between successful invasion and the saving of our country.

We do not welcome any enemy aliens from any country into this State. But, by the same token, we do not rejoice that our boys are conscripted. We find no happiness in the daily casualty lists which we scan for familiar names with fear and trepidation. We do not glory in the fact that we have been drawn into the most terrible warfare that mankind has ever invented. There is no pleasure in the sacrifice of great industries and the surrender of private rights for the good of the Nation. In fact, there is nothing connected with this war which renders it desirable. But as patriots, as Americans, as Coloradans, we say to the world, and we say to our leaders, Colorado will do her part and more.

The people of Colorado are giving their sons, are offering their possessions, are surrendering their rights and privileges to the end that this war may be fought to victory and permanent peace. If it is our duty to receive disloyal persons, we shall welcome the performance of that task.

This statement must not be construed as an invitation, however. Only because the needs of our Nation dictate it, do we even consider such an arrangement. In making the transfers, we can feel assured that governmental agencies will take every precaution to protect our people, our defense projects, and our property from the same menace which demands their removal from those sections. And in this connection I think it is only fair for us to ask in the placement of evacuees that local conditions and the needs of our communities be consulted. Sources of water supply, timber growth, and essential industrial activities should be considered. The protection of wildlife is a major concern in Colorado.

For an understanding of the reasons for the possible evacuation of such enemy aliens, let us hear a story told by an American, a Colorado girl now living in Hawaii. She witnessed the attack on Pearl Harbor. She saw the awful results of those unbelievable assassinations. Many planes, manned by Japanese pilots, were shot down by the American antiaircraft guns. And the bodies of those pilots shout a warning which we cannot ignore. And when the break came, when Japan loosed its attack on Pearl Harbor, the rings and insignia of the graduating classes of high schools and colleges of the islands and the Pacific coast of the United States were found on the fingers of many of the Japanese pilots who fell under American gunfire. All of these educated Japanese are not pilots, however. All of them are not confined to the city of Tokyo. Nor do they constitute all of the people who dislike Americans and America. They are to be found wherever there are Japanese, Italians, and Germans—and particularly in California.

In justice and fairness, let us pause here to speak a word in behalf of loyal German, Italian, and Japanese citizens who must not suffer for the activities and animosities of others. In Colorado there are thousands of men and women and children—in the Nation there are millions of them—who, by reason of blood only, are regarded by some people as unfriendly. They are as loyal to American institutions as you or I. Many of them have been born here—are American citizens, with no connection with or feeling of loyalty toward the customs and philosophies of Italy, Japan, or Germany.

The world's great melting pot is peopled by the descendants of every nation in the globe. It is not fair for the rest of us to segregate the people from one or two or three nations and to brand them as unpatriotic or disloyal regardless.

The coming of these evacuees will, of necessity, give rise to social problems, to business and labor questions, and similar vexing issues. But surely we possess the brains, the resources, the solid American character which will enable us to solve those problems properly and intelligently.

People of Colorado, let us remember that we have a job to do. Answers which would be correct under ordinary circumstances do not apply when all conditions are changed. We are at war. We must realize that.

Let us approach these social and economic problems with a new attitude of mind. Let us get that job done as quickly as possible, so that our boys may come home and we may return to our American way of life.

Men of Colorado, if MacArthur and a handful of men can hold off hundreds of thousands of Japanese under the conditions which they face, we can control the conduct of any little group which may be sent to Colorado.

And, finally, I urge upon the people the danger of inflammatory statements and threats against these unwelcome guests. The newspapers report that some aroused citizens have threatened force against the approach of undesirables. In my presence, the other morning, a young man in uniform quoted a superior as favoring the firing squad as the solution of this problem.

Such reckless statements may bring reactions which we shall always regret. Let it be understood that such conduct is not approved by the code of humanity. Americans have too great a sense of fair play. Let it also be known that we do not hold all the cards and that reprisals would be visited upon our own soldiers, officers, and citizens who will be taken prisoner before this is over.

Let us consider ourselves as part of a great army, engaged in the most righteous war in history. No good soldier interferes with the activities of his superiors.

People of Colorado, let us all be good soldiers. Let us accept the fortunes of war with heads up. This is a solemn affair. We must approach it in that attitude of mind.

EXHIBIT 20.—STATEMENT ON PROBLFM OF GERMAN-JEWISH REFUGEES BY MR. EDWARD SCHREIBER, FEBRUARY 25, 1942

First we want to state that we refugees from Nazi Germany are ready to accept everything as a necessity what the Government of the United States of America will decree about our future.

But we want to make clear our position. We are the first victims of agression. We are in this war since 1933. We have lost our positions, our fortune, our homes, everything. Our parents and relatives who had no opportunity to leave Germany die in Nazi concentration camps in Poland. We do not see any reason why we should help the Axis Powers. Only a lunatic could do so. We really are not "enemy" aliens. We took out our first citizen papers. We are not long enough in this country to be admitted to citizenship.

Our resettlement in the United States of America is very difficult. Mostly we were businessmen, lawyers, doctors, professional men. Only a few could work in their own line. Almost every one of us had to change his occupation. We cannot go in competition with Americans who enjoyed the usual school education and have an American background. We are handicapped because either we have language difficulties or we did not lose our accent, although we did everything to overcome this handicap.

It would be a great hardship for us if we had to move to another State. Here some of us have relatives who secured them jobs; we have made friends in San Francisco who assisted us in finding occupations; some of us have opened own enterprises with the last money they could get out of Germany.

To start in a new place would be extremely hard. From the beginning we would be suspicious as enemies. The "alien" question would be brought to parts of the country where it never existed before. We could not make a living and would become a public charge. It always was our pride to be self-supporting. Especially for the elederly people it would be very hard.

We know that in these times everyone has to make a sacrifice. We know that our sacrifices are nothing in comparison with the sacrifices the soldiers have to bring and the people of the United States of America. But our sacrifice would be of no use.

We like to do everything in our power to assist our new fatherland. Many of us have enlisted for civil defense. We do not want any preference. We want only one thing—not to be classified as enemies of this great Nation. We know that without freedom and democracy the human race could not exist. We want as future citizens to do our share in these times and make America win the war.

Exhibit 21.—The Jewish Refugee and the Enemy Alien Problem

REPORT BY RABBI S. P. WOHLGELERNTER, 104 SEVENTEENTH STREET, SEATTLE, WASH.

March 3, 1942.

The writer both as a citizen of this country and as a rabbi of the Jewish community felt the duty to be present at the public hearings conducted yesterday, and, inasmuch as I felt my civic duty to refrain from participating in the public hearing so as to save the time of the committee, I feel it is my sacred obligation to submit this memorandum with the hope that it receives due consideration.

Needless for me to say that I am interested in the entire problem from the social point of view and all its implications, but having faith in the true spirit of the American attitude of fair play on the part of the authorities, and considering also that this is an emergency period in the history of our country, I am not entering into a discussion of the social obligations toward all those who found a haven of refuge in our country. I will leave this with confidence in the authorities. But, having worked for the past few years with the Washington Emigre Bureau, Inc., which is the local affiliate of the National Refugee Service, Inc., and the Hebrew Sheltering and Immigrant Aid Society, I have come in contact with hundreds of the refugees who came here either through Japan or from New York directly. Together with my colleagues in the work, I have endeavored to learn first of the background of those who came here to be resettled: secondly, their attitudes toward this country. I have been privileged to be intimate, very closely intimate, with a large number of these families. In my capacity as a rabbi I have continued this interest by visiting often their homes and looking after the welfare of a large number of them.

I can truthfully testify that of the hundreds of German-Jewish refugees who have been resettled here, there is not one who is not ready to bring sacrifices for this country, both as future citizens of the country, and also as a spirit of gratitude to our United States of America, for the privilege accorded to them to become part of this great country and its population. They certainly realize that at this period of emergency in the history of our country, every obligation placed upon the individual by the authorities must and should be fulfilled to the limit. There is, however, one aspect in this attempt by the authorities to place them in the category of suspicion of subversive activities to this country which I from my intimate knowledge of them feel to be unjustified. They are almost in total a group who suffered as the victims of Nazi-ism from the very beginning and advance of the Hitler regime. They, in fact, were the heroes of the "Pearl Harbors" of Europe who experienced the treacherous assault upon the democratic way of life and the democratic ideals of humanity. Since then they have been denied citizenship of their former country. They are now considered stateless people. Their arrival in the United States was the first opportunity for them to breathe again the spirit of freedom in this country.

These people are thankful to the Government and to the democratic institutions of this country for this privilege. They are not, and should not be, suspected of doing something contrary to the very spirit of our country and its institutions.

If there is any doubt about the possibilities of the infiltration of subversive elements in the disguise of refugees made by the Hitler regime for the purpose of carrying out espionage and sabotage in this country, it is not within the spirit of American fair play to accuse that loyal group as a whole.

A method must be found to give the opportunity to each and every individual of those people to establish by virtue of background and activity since their arrival that they are loyal to this country and that there is no danger of them being in an area such as ours. Furthermore, they live here in a small number as a closely knit group with the watching eyes of the leadership of the community and those who are interested in their rehabilitation. There is almost a certainty that the police or other Government authorities can scrutinize easily every movement of every individual of this group without forcing the Government to take measures which may completely destroy their chances of further rehabilitating themselves and becoming assimilated in this country's life.

I therefore make the following concrete suggestion that tribunals be set up to investigate each individual case and upon proper testimony of local leaders and the examinations of their background in their former country to establish whether or not that individual may justifiably be suspected of any danger or threat to our country. Such a procedure will give an opportunity to our authorities to establish beyond the question of a doubt whether or not that individual should be uprooted from this area and destroy the chances for his or her, or the family's, rehabilitation. This will be in the spirit of fairness as the tradition of our country which has always accorded to the individual the right to prove his innocence before he is declared guilty.

EXHIBIT 22.—STATUS OF DESCENDANTS OF NATIONALS OF AXIS COUNTRIES WITH THE CALIFORNIA STATE PERSONNEL BOARD

CALIFORNIA STATE PERSONNEL BOARD,
Sacramento, Calif., March 10, 1942.

TOLAN CONGRESSIONAL COMMITTEE,
San Francisco, Calif.

GENTLEMEN: This is in response to your verbal request of March 5 and your letter of March 6 requesting information concerning the State employment status of descendants of nationals of countries with which the United States is at war.

The State personnel board is charged with the responsibility of administering the merit system for California State employees. At this time there are approximately 27,000 employees within this system. The major State agencies not included in the system are the University of California, the State colleges, the State prisons, the State judiciary, and the railroad commission.

On January 17, 1942, the State Senate adopted Senate Concurrent Resolution No. 15 relative to the loyalty of employees of the State of California. The resolution was adopted by the State assembly on January 18, 1942. A copy of this resolution is attached. You will see that the resolution requested the State personnel board to protect the State service against the employment of persons who are not loyal to the United States.

Consideration of this resolution by the personnel board was set for January 28, 1942. At that time State Senators John Harold Swan and Jack Metzger and Legislative Counsel Fred B. Wood appeared and discussed the resolution and possible means that might be taken by the personnel board to comply with the request contained in it. The minutes of this meeting of the personnel board have not as yet been approved by the board; however, the proposed minute item covering this action is as follows:

"Item 41: Senators John Harold Swan and Jack Metzger, and Fred Wood, legislative counsel, appeared in a discussion of Senate Concurrent Resolution No. 15. It was moved by Senator Christian, seconded by Mr. Sperbeck, that the acting executive officer be instructed not to certify from existing State eligible lists for State employment any person or persons who are citizens, naturalized citizens, or native-born citizens who are descendants of nationals with whom the United States is at war until an investigation has been made of their citizenship and loyalty to the United States; and that a similar investigation be made of such applicants for State examination prior to acceptance of their applications to compete in future State examinations; and that it be ascertained whether or not funds could be obtained for a similar investigation of such persons who are at present employed by the State. The question being on the adoption of the motion, ayes—Messrs. Sperbeck, Lutgens, Brown, Christian, and Mallary. Motion carried."

While the board's action applies to all naturalized citizens or native-born citizens who are descendants of nationals of countries with which we are now at war, our available facilities were not sufficient to undertake the action on such a large scale. As a matter of expediency, therefore, it was necessary to take a piecemeal approach to the matter by starting action on those persons whose names readily identified them as coming within the scope of the board's action. We therefore have taken action so far only on those persons of Japanese ancestry.

The following actions of general application to all persons of Japanese ancestry have been taken to date:

1. The examination applications of such persons have been received but not processed pending the investigation of their loyalty to the Government of the United States and to the State of California. As yet it has not been possible to investigate any of these cases (approximately 85); therefore, the applications are still being held in abeyance.

2. The names of such persons on eligible lists are not being certified to State agencies for appointment pending investigation of their loyalty (approximately 400 individuals). Also, persons whose names were on certifications outstanding at the time of the board's action were withdrawn. To all such persons a questionnaire has been sent as a first step in an investigation as to their loyalty.

3. All such persons now employed in civil service and exempt positions (exclusive of the University of California) have also been sent a questionnaire as the first step in an investigation of their loyalty.

It would appear at this time that any actions which may be directed against permanent civil service employees will have to be taken under the regular section of the Civil Service Act that establishes the procedure by which permanent civil service employees may be dismissed from the service. In general this procedure requires the filing of charges, the filing of an answer by the defendant, and the holding of a public hearing. A copy of these provisions of the act is enclosed.

The questionnaire, we believe, will supply information which can constitute the basis for a more extensive investigation in such cases as the board deems necessary. Questionnaires were sent to some 314 employees in the service. With a few minor exceptions all of these persons are employed in clerical positions. The geographical distribution of these employees is as follows:

Sacramento and central California	219
San Francisco and coastal area	46
Los Angeles and southern California	49

On March 3, 1942, the board of equalization suspended all employees of their agency of Japanese ancestry, pending the filing of charges for dismissal. Approximately 21 employees were included in this action. On March 5, 1942, the State personnel board also suspended, pending the filing of charges for dismissal, the 14 employees on our staff of Japanese ancestry. These two agencies are the only State offices that have taken this action to date.

If there is any additional information you desire on this subject, I shall be glad to supply it upon your request.

Yours very truly,

William K. Smith,
Acting Executive Officer.

[Amended in assembly January 17, 1942]

Senate Concurrent Resolution No. 15

INTRODUCED BY SENATORS SWAN AND METZGER JANUARY 17, 1942, WITHOUT REFERENCE TO COMMITTEE

Senate Concurrent Resolution No. 15—Relative to loyalty of employees of the State of California

Whereas during times of war it is particularly important that all employees of the State of California be loyal to the United States and to the State; and

[Whereas it appears that there are many employees of the State of California who are children of enemy aliens, whose fathers are in some cases members of the military forces of nations at war with the United States; and

[Whereas while our own boys are engaged in the armed forces of the United States the State civil service is becoming filled with persons of questionable loyalty who will be in a position to do irreparable injury to our country: Now, therefore, be it]

Whereas it appears that there are employees of the State of California who may possess dual citizenship; and

Whereas it appears that many State civil service lists are almost completely filled with the names of children of enemy alien nationals who may not have renounced their dual citizenship: Now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the State personnel board be requested to take every proper means to prevent anyone securing a position on the eligible list of the State civil service or from being certified to a civil service position in the State service who is not loyal to the United States and to further make such rules as may be necessary to provide for the dismissal from the service of such persons as may be proved to be disloyal to the United States of America in this present war.

Excerpt From California State Civil Service Act

Sec. 173. (*a*) The tenure of every permanent employee holding a position shall be during good behavior, but any such person may be removed, demoted, suspended, reprimanded, or otherwise disciplined, under a procedure in conformity with the provisions of this act which shall be set up by the board in its rules for any of the following causes: Fraud in securing appointment, incompetency, inefficiency, inexcusable neglect of duty, physical or mental disability, insubordination, dishonesty, drunkenness on duty, intemperance, addiction to the use of narcotics or habit-forming drugs, inexcusable absence without leave, conviction of a felony or misdemeanor involving moral turpitude, immorality, discourteous treatment of the public or other employees, improper political activity, willful disobedience, violation of the provisions of this act or the rules of the board, or for any other failure of good behavior or any other act or acts which are incompatible with or inimical to the public service.

(*b*) The appointing power, or the board, or any person with the consent of the board, the appointing power or the Attorney General, may file charges against any employee or any person on any employment list for dismissal or other punitive action for any or all of the causes hereinbefore provided. Such charges must be made in writing and clearly state the facts constituting such cause, in such detail as is reasonably necessary to enable the employee to prepare his defense thereto and shall be filed with the board and a copy served upon the employee either by personal service or by mail. The appointing power or any officer or employee authorized by the appointing power so to do may immediately suspend any employee from service without pay pending the filing of charges or the hearing thereon by notifying such employee thereof. Such a suspension shall be valid only in the event charges are filed with the board and served on the employee, within 15 days of the date of the suspension. Such suspension shall be effective until a hearing has been held on the charges and a decision thereon rendered by the board. The charges filed against an employee must also inform him of the time and manner in which, under the rules of the board, he must answer to such charges and ask for a hearing. The employee may within 10 days after service file with the board a written answer to or explanation of the charges, and request a hearing, and a copy of such answer, or explanation, and request shall at once be mailed by the board to the appointing power or other person who has made the charges. Amended or supplemental charges may be filed, and served, with like opportunity to the employee to file an answer or explanation and a request for hearing.

Within a reasonable time after the filing of such answer, and upon written notice to both parties of the time and place of the hearing, the board or its duly authorized representative shall hold a hearing, at which time both parties shall have the right and opportunity to submit all proper and competent evidence against or in support of the charges. Failure on the part of the employee to request a hearing, and to give such written answer or explanation to the board within 10 days of the service upon him of the charges, or to appear at the hearing, shall be deemed an admission of the truth of such charges without further hearing upon the part of the board unless further time should be granted by the board. Either by deposition or at the hearing the employee may be examined under section 2055 of the Code of Civil Procedure, and the employee may likewise examine, or cause to be examined, any person. It shall be the duty of the board to subpena witnesses for the accused upon his written request and at his cost, which costs the board may require to be prepaid, to consider carefully the evidence submitted in the hearing and to render a decision which in its judgment is just and proper.

The board, in arriving at its decision, may consider any prior suspension of the employee under section 171, or any prior proceeding under this section. The decision must be rendered within a reasonable time after the completion of the hearing. If adverse to the employee, the decision may provide that the punitive action taken therein shall date from the date of the service of charges upon the employee. The decision shall be entered upon the minutes of the board and upon the official roster of employees. Copies of the decision shall be furnished to the appointing power, the person preferring charges, and to the employee. Hearings may be held by the board, any member or any authorized representative or referee but the decision shall be rendered by the board after careful consideration of the evidence submitted in the hearing.

(*c*) Within 30 days from and after receipt by him of a copy of the decision rendered by the board in a proceeding under this section, the employee or the appointing power may apply for a rehearing by filing with the board a petition in writing therefor. Within 30 days after such filing, the board shall cause notice thereof to be served upon the other parties to the proceedings by mailing to each a copy of the petition for rehearing, in the same manner as in this act prescribed for the giving of notice of a hearing. Within 60 days after the service of such notice of the filing of the petition for rehearing, the board shall either grant, in whole or in part, or deny the petition, and if the petition for rehearing is not acted upon within said period, it shall be deemed denied. If the petition for a rehearing is granted, the matter shall be set down for hearing by the board, either before the board or before its authorized representative, and such hearing shall be conducted as to the matters on which the rehearing is granted in substantially the same manner and under like rules of procedure as an original hearing upon charges filed under and pursuant to the provisions of this section.

(*d*) The board shall in rendering its decision, authorize payment of salary for the period of the suspension if it finds that the charges made were untrue or that the employee was justified in the course of conduct upon which the charges were based.

EXHIBIT 23.—THE JAPANESE FARMER

REPORT BY LOWELL W. BERRY, OWNER, THE BEST FERTILIZERS CO., 1459 THIRD STREET, OAKLAND, CALIF.

MARCH 10, 1942.

We are alarmed at the attention which is being paid to thoughtless public clamor for the wholesale evacuation of Japanese aliens and Japanese-American citizens from their present locations, without due regard being given to the value of their productive activity where now engaged. We are especially concerned about the productive capacity of our Japanese farmers. Our letter is being addressed to you because of our desire to see this productive effort maintained so far as reasonable safety will permit.

The writer has for a period of 10 years been in continual contact with the farming communities throughout northern and central California. Observations and experiences during this time have given a broad understanding of the farming ability and productive capacity of the Japanese in these areas. It is our considered opinion that:

1. The Japanese farmers possess much in farming knowledge, experience, and management skill. This cannot be replaced within a year or two or three. The preparation of soil, planting, time of planting, selection of crops and type and variety of seed adapted for the location, the cultivation, irrigation, spraying, dusting, and thinning, the fertilization of the crop, and finally the care immediately preceding maturity, and the harvest, all require knowledge which can be gained only by years of observation and experience.

2. Japanese capacity for labor in the fields, growing, cultivating, and marketing truck crops is secondary to their management ability, but neither can be replaced immediately.

We should not lightly throw aside this capacity of management and labor for crop production.

We recognize that all possibility of fifth column activity must be eradicated from vital areas immediately adjacent to airfields, defense industries, etc., regardless of the loss of productivity, but since this is a war of production, and since the Japanese farmers contribute 35 to 40 percent of the total production of truck crops and vegetables within the State of California, it would seem that necessity requires a very thorough consideration of ways and means of utilizing their continued effort along these lines.

Is there not a reasonable means of safety to be achieved by the partial or complete immobilization of the Japanese in rural areas, which would still permit them to carry on their productive effort in the field of farming?

Let us maintain and increase our present agricultural production by utilizing American and Japanese skill and labor. We can ill afford to throw this productive effort away while requiring additional of our productive capacity to support the Japanese population in concentration areas and camps.

Exhibit 24.—Japanese Farm Labor

REPORT BY WM. A. AYRES, EDITOR, CALIFORNIA GRANGE NEWS, SACRAMENTO, CALIF.

February 25, 1942.

The California State Grange—representing some 30,000 honest-to-goodness farmers over the State—is considerably alarmed over the proposal to place alien Japanese in camps in rural sections of California, to be used as agricultural labor. We believe any such concentrations within this State would be detrimental to the public safety. A flood of communications to our office substantiates this view.

California farmers do not want Japanese farm labor. They believe the work can be done with Filipino and Mexican labor where white workers are not available.

We believe it would be a grave mistake to try to foist Japanese workers on California farmers, where they are not wanted, not only because of the farmers' attitude toward the alien Jap worker, but because of the great danger of having concentrations of these enemy aliens so near the coast—and especially in less protected rural areas—where an attack is not only possible but likely.

Exhibit 25.—The Japanese and the Oyster Industry

REPORT BY J. BURTON BOWMAN, OLYMPIA OYSTER GROWERS PROTECTIVE ASSOCIATION, SHELTON, WASH.

There has been so much clamor for the removal of all Japanese from the coastal area that we have hesitated to ask for the privilege of appearing before your committee in behalf of our employees. However, the problem of securing other help here and of finding localities which are willing to receive the Japanese evacuees seems to be so great that we now feel we should state our case and ask your consideration of our problem.

The oyster industry in the upper Puget Sound area around Olympia has had to depend upon Japanese labor almost entirely for many years and some of the men have worked for the same companies or individuals year after year. Others have come here more recently but have proven very satisfactory. Their removal will practically paralyze the industry just at the time of year when it is necessary, in addition to marketing the oysters, to move seed and to shell the ground to catch this year's spat.

The employees on the oyster beds live in floathouses anchored out in the water over the beds. Would it be possible to group these houses, have white men run the boats (rowboats with outboard motors, for the most part) and superintend all operations? We could arrange for their supplies so there would be no occasion for them to leave their houses except to work on the beds, under supervision as outlined above. I believe the men would gladly comply with all such regulations.

We have found the Japanese very satisfactory help in years of association with them. They are good workers, dependable and thoroughly law abiding. White men will not do the work on the beds. We have tried them many times in the past. Now there are none available. We should like to work out some arrangement whereby our employees could remain with us, if possible.

If it is necessary for the protection of the country that all Japanese be removed, we shall meet the situation as best we can, of course. If they are removed, however, we hope that they will be given full protection of person and property and treated kindly, as their conduct in the years we have known them surely merits better treatment than many of our people would give them.

EXHIBIT 26.—CORRESPONDENCE FROM T. M. BUNN, SALINAS VALLEY VEGETABLE EXCHANGE, SALINAS, CALIF., ON EVACUATION AND THE FARM LABOR PROBLEM

SALINAS VALLEY VEGETABLE EXCHANGE,
Salinas, Calif., March 5, 1942.

Congressman JOHN H. TOLAN,
Los Angeles, Calif.

DEAR MR. TOLAN: Please allow me to apologize for calling you personally on the phone, but the newspapers did not give us a clear-cut picture of what is intended of Japanese aliens and citizens that are supposedly to leave this area; and are citizens to liquidate their land investments?

These people want to know where they can settle and what are the economic possibilities in the different States. If other States will allow Japanese to own and farm lands and will accept them, we want to make plans to open up new deals and will liquidate our investments here and pull out of California.

The partnership owns outright 700 acres of land in Salinas and has approximately 5,000 acres under lease altogether in Arizona and California. It will take some time to liquidate some of our investments here.

I have enclosed a copy of my letter to General DeWitt simply explaining just what we could do here locally to help the labor situation. Unless we can use oriental help we cannot farm these lands economically and efficiently.

We are fighting this war to hold and further secure cheap labor. So if we can't secure it in California, we will commence to look elsewhere.

If we are unable to use Japanese in our labor camps, could we be allowed the use of our key Japanese-American foremen and to operate them under a Government licensing system and we to supply guards if that becomes necessary?

Please be kind enough to see that these thoughts are conveyed to the proper and interested parties.

Very truly yours,

SALINAS VALLEY VEGETABLE EXCHANGE.
By T. M. BUNN.

SALINAS VALLEY VEGETABLE EXCHANGE,
Salinas, Calif., February 27, 1942.

Gen. JOHN L. DEWITT,
Presidio of San Francisco, San Francisco, Calif.

DEAR SIR: Please pardon me for taking the liberty of writing to you but I feel that the situation is of such urgency that a clear understanding of our labor picture should be presented to you immediately.

As I was unable to talk to you by phone, I explained the situation to Colonel McGill, so I am now mailing this letter to him and requesting him to see that it gets to you.

The above company is a partnership and is controlled and owned by Takeo Yuki, an American-born Japanese, and myself, also an American citizen. At the present time we are engaged in farming operations in the Imperial Valley, Calif., the Salt River Valley, Ariz., and here in the Salinas Valley, and own and lease land that is being farmed to lettuce, onions, spinach, celery, cantaloupes, wheat, and barley. Our deal comprises approximately 7,000 acres of land in all three districts.

In addition to employing Japanese foremen on these ranches (aliens and citizens), we had on our pay roll up to January 1 approximately 150 Japanese packing-shed workers who were mostly citizens. Due to a Filipino shooting on New Year's Eve on Broadway Street, El Centro, Calif., a couple of our men were wounded. The district attorney and the sheriff there advised us that they heard rumors that the Congress of Industrial Organizations was going to clean out our Jap crew and that the Filipinos might be dangerous and, for the safety of all, advised us to move these men. We complied with their wishes and removed these men. I arrived in El Centro on the following Monday. Everything was quiet then so I just decided to keep the Japanese truck drivers on the job. We have 15 drivers, and they are all citizens and have been with us ever since just before the big strike in Salinas in 1936.

The shed workers were all from Salinas and returned here to their home. Along with these men there are 50 to 100 more Japanese available who have since lost their lands. At the present time we are working about 100 Japanese at various jobs and are at present planting onions and lettuce.

We are about to complete our labor camp which we commenced constructing in November. It is located on the Finch Road in the Blanco District, Salinas. Built at a cost of $25,000, it is strictly modern in every respect, and has complete facilities to accommodate 200 men. We had planned on putting Filipinos in this camp but due to the shortage of this kind of help and in view of the present surplus of Japanese labor, we would like to locate Japanese in this camp.

In case this camp comes within a restricted area or prohibited zone, we could arrange for guards and these men would be taken direct from the camp to our various fields in the Salinas Valley, comprising the area from Gonzales to Watsonville. In order to guarantee further protection, we could confine their work particularly to our Salinas area and take care of our Gonzales and Watsonville acreage with Filipinos who are now located in little camps on these ranches.

These Japanese are skilled for just such work as growing and harvesting of onions and garlic. The E. H. Spiegl Co. camp at Chular and the H. P. Garin Co. camp at Castroville house and feed Japanese and use them for this type of work.

We have a considerable bit of the finest land in the Salinas Valley and with this efficient Japanese help, we feel we can be of great assistance to the Government in producing of food stuffs during this national emergency, providing, of course, that this set-up is such that militarily it will not be inimical to national defense.

There is considerable thought on the part of our own resident farmers to take advantage of this situation and attempt to colonize farming areas in Idaho, New Mexico, and Nevada. I know of three such plans.

We realize economic problems are secondary to military defense but, if during the next few days, further boundaries are established and the status of the Japanese in Salinas will become affected, we would appreciate it if you would consider allowing us the use of this camp for purposes mentioned.

Very truly yours,

SALINAS VALLEY VEGETABLE EXCHANGE.
By T. M. BUNN.

SALINAS VALLEY VEGETABLE EXCHANGE,
Salinas, Calif., March 5, 1942.

Mr. TOM C. CLARK,
Justice Department, United States Post Office Building,
San Francisco, Calif.

DEAR MR. CLARK: At the request of Congressman John H. Tolan, chairman of Defense Migration Committee, I have been asked to forward a copy of this letter on to you.

We never figured that the status of a Japanese-American citizen would ever be upset. Now that this has happened, all we want to know is what is the Government or Army going to do about this situation?

If the Japanese all have to leave, this company will be able to cooperate effectively if we know whether or not their investments are to be liquidated, and if licensing privileges will be granted to ones found to be loyal. We would also like to know if migration localities will be established for future private farming enterprises.

Very truly yours,

SALINAS VALLEY VEGETABLE EXCHANGE,
By T. M. BUNN.

SALINAS VALLEY VEGETABLE EXCHANGE,
Salinas, Calif., April 11, 1942.

HOUSE COMMITTEE INVESTIGATING NATIONAL DEFENSE MIGRATION,
Washington, D. C.

DEAR MR. CULLEN: We wish to acknowledge receipt of your letter and galley proof of my testimony presented in San Francisco to the House Committee Investigating National Defense Migration. Corrections on the testimony are noted in the margin column of letters.

At the time these various letters were written, everyone was very upset and did not realize the gravity of the situation. The original orders from General DeWitt left our organization completely "up in the air" as to what the future plans would be. So in order to cooperate effectively in national defense and at the same time not to impair maximum productivity and efficiency of this company which was thought also important to national defense, we have sought to learn ways and means to cooperate with these orders so as to facilitate the transition and, if possible, to help locate these Japanese-American citizens in new work in other than defense proclamation areas—at all times bearing in mind a set-up that would not be inimical to national defense.

Now that the issue has been clarified and a definite order for evacuation has been issued, we realize that we cannot look elsewhere for economic development and that the situation is completely in the hands of the Army and the Japanese are now awaiting Army orders requiring them to depart for reception centers.

The testimony presented in my letters represented the situation at the time it was presented, but now that the evacuation order has been given the above statements are irrelevant to the present status of affairs.

Please make this "additional material" a part of the original testimony and, if published in pamphlet form, please send me a copy.

Very truly yours,

SALINAS VALLEY VEGETABLE EXCHANGE,
By T. M. BUNN.

EXHIBIT 27.—FARM LABOR IN THE SUGAR-BEET AREA AND THE JAPANESE EVACUATIONS

MISSOULA COUNTY FARM LABOR COMMITTEE,
Missoula, Mont., March 16, 1942.

The Honorable SAM C. FORD,
Governor of the State of Montana,
Helena, Mont.

DEAR MR. FORD: Because the county of Missoula contains extensive and valuable beet-sugar acreage, which, if placed in production to the fullest extent, will contribute materially to the available sugar supplies of this State and of our Nation, the Missoula County Farm Labor Committee wishes to take all steps possible to insure maximum beet-sugar production for the duration of the national emergency. For this purpose, it is vital to assure an adequate labor supply for the planting, care, and harvesting of the maximum crop which growers are contemplating.

Because current labor supplies in this county and State are being steadily depleted, and because a serious labor shortage now exists and a more serious shortage is foreseen, the Missoula County Farm Labor Committee has given its attention to studying the question of utilizing the reservoir of labor represented by Japanese and Italian aliens interned at Fort Missoula, and/or evacuees from west-coast defense areas.

The committee concurs strongly with the resolution of the Western Montana Beet Growers Association, as per the enclosed copy, that this source of labor should and must be guaranteed to the beet growers of Montana, as a certain supply to which to turn after the current labor supply is exhausted.

The Missoula County Farm Labor Committee hereby endorses that resolution and urges that you, in the furtherance of the best interests of the people of this State and this Nation, reconsider your stand on the question and give your support and assistance to efforts to make available this labor supply.

Missoula County Farm Labor Committee, George Shepard, Chairman; C. E. June, Secretary; County Extension Service, M. M. Oliphant; County Agricultural Adjustment Administration, Charles Stahl; Farm Security Administration, Gerald Sullivan; Lolo National Forest, C. R. Byers; National Youth Administration, Chris Johanson; Public Welfare, Joseph Roe; Work Projects Administration, I. A. Haswell; Western Montana Producers Credit Association, Grover Lewis; Vocational Agricultural Department, C. M. Homer; County Farm Bureau, C. E. Woodgerd; American Crystal Sugar Co., Earl Farnsworth; Northern Pacific Railway Agricultural Agent, L. S. MacDonald; Beet Growers Association, Ed Deschamps; County Commissioners, John Flynn; Agricultural Planning Board, Homer Rock.

To the United States Department of Agriculture War Boards—Ravalli, Missoula, Lake, Powell, Broadwater, Deer Lodge, Gallatin, Granite, Jefferson, Lewis and Clark, Madison, and Sanders Counties, State of Montana.

GENTLEMEN: Whereas our country is faced with a possible serious sugar shortage; sugar is one of the vital needs in our defense operations and is placed high on Federal priority list, and

Whereas western United States beet farmers are called on to produce larger crops with less machinery and labor available which, it is hoped, will approximate the largest quantity of beet sugar in the history of the industry, and

Whereas the sugar-beet growers in 1941 complied with the Federal requirement to control their beet acreage with a 20 percent reduction and as late as last September, beet growers who were nearing completion of their harvest in California were prohibited by Federal authorities from harvesting their surplus beet acreage for sugar-production purposes, now therefore, the Nation faces this serious sugar shortage, and

Whereas sugar-beet growers in this area are extremely anxious to plant all possible acreage in this emergency; have sufficient farm equipment to prepare and handle the maximum number of acres; have sufficient irrigation water available and have processing factories available in near respective areas, it is contemplated that western Montana can devote at least 13,000 of its fertile acres to the production of sugar beets in 1942.

Now therefore the problem confronting this industry is a possible serious shortage of hand labor to properly care for and harvest the desired crop; the necessary cash investment to prepare and plant these acres will be an impossibility without assurance of sufficient hand labor to bring the crop to a successful harvest.

The farmers of western Montana are standing ready to assist to their fullest in the agricultural war program of our Government, but will be able to carry on only if all sources of labor in western Montana are made available to its farmers. The advent of war has created an already serious shortage of farm labor, which is growing even more serious through constant drainage of our agricultural manpower, many having been called to the colors. The defense industries and boom conditions on the Pacific coast have taken a heavy toll of our farm workers.

Facing this situation soberly and honestly, farmers are willing to employ teen-age boys, older and less efficient men, and even women and girls from among our local people. However, farmers must and do fully realize that regardless of the sincerity and patriotism of these workers there are not enough available to assure former sugar-beet production, much less make possible any great increase.

It is our understanding that Fort Missoula, Mont., is at present housing 842 Japanese and over 1,000 Italian interned aliens. The Japanese personnel is composed of truck gardeners, farmers, fishermen, and produce men who would constitute ideal sugar beet field workers and farm laborers.

Western Montana farmers would be glad to use these people if needed to supplement local labor, if they could be made available by the proper governmental authorities. Local farmers see no reason why these men could not be used in this emergency. They could be kept under guard and transported back and forth from established camps.

It is our understanding that these men are being held under the "Genoa conference agreement" making it possible for the Government to utilize them for work in this war emergency.

We therefore request your full and immediate assistance in promoting necessary arrangement to make this "alien" aid available providing sufficient local labor is not available, and suggest this early contemplation of the necessary steps to complete arrangements at the earliest possible date. We desire assurance that labor will be available prior to our preparing of ground and planting of crops.

We propose to contact our Montana Representatives in Congress to urge the making available of all sources possible for farm labor including the interned men at fort Missoula.

We do not believe the possibility of sabotage or other subversive action a potential danger that we cannot properly control.

WESTERN MONTANA BEET GROWERS ASSOCIATION,
By CLARENCE POPHAM, *President.*
RAVALLI COUNTY IMPROVEMENT ASSOCIATION,
By C. M. BUXTON, *Secretary-Treasurer.*
HAMILTON CHAMBER OF COMMERCE,
By C. M. BUXTON, *Secretary.*

EXHIBIT 28.—THE GARBAGE-COLLECTION PROBLEM IN ALAMEDA, CALIF.

ASSEMBLY, CALIFORNIA LEGISLATURE,
February 23, 1942.

HON. JOHN H. TOLAN,
Member of Congress, Seventh District, San Francisco, Calif.

DEAR SIR: I would like to call to your attention the plight of the city of Alameda.

The city of Alameda is served by the Alameda City Garbage Co., which has six trucks, that have been serving this city for many years.

Due to war conditions the garbage company has been called upon to serve the Alameda Air Base, 800 housing units, plants handling war production, and also Navy supply and convoy units, without any additional equipment or personnel. It has been impossible to hire anyone as men are able to secure positions in national defense work, whereby they secure better wages, less hours, and cleaner work.

The city of Alameda, due to the Alien Exclusion Order or Act, is now in a serious position, due to the fact that 6 members of the association out of a total of 19 members are now classified as aliens.

The Alameda City Garbage Co. is a partnership in which these aliens are partners, in addition to this practically all of them are married to American citizens, have a family, and are purchasing their own homes, and in many cases they are awaiting their second papers.

These men can be vouched for by the city manager, chief of police, and myself.

I bring this to your attention as it is so serious that unless steps are taken immediately, either the armed forces or the city of Alameda are going to have to take care of their own garbage disposal.

Respectfully yours,

RANDAL F. DICKEY.

EXHIBIT 29.—NUMBER AND STATUS OF MEN ENGAGED IN GARBAGE COLLECTION IN SAN FRANCISCO, AFFECTED BY ENEMY ALIEN RESTRICTIONS

SCAVENGERS' PROTECTIVE ASSOCIATION, INC.,
San Francisco, Calif., February 20, 1942.

Mr. CHAUNCEY TRAMUTOLO,
Attorney at law, San Francisco, Calif.

DEAR MR. TRAMUTOLO: Following you will find a summary of the number and status of the men engaged in the garbage collection business in this city who are directly affected by the regulations and restrictions concerning alien enemies of Italian nationality.

There are 531 scavengers employed in this city. Of this number 105 are enemy aliens. In other words, 20 percent of the total number of scavengers employed in this city are concerned and affected by these regulations.

Of the 105 enemy aliens above mentioned 76 are married, and a total number of 134 persons are dependent upon these married men for support and maintenance.

Of the said 105 enemy aliens 88 are what is known as working shareholders in the scavenger companies. Each of these men has an average investment in the company employing him of $9,000. This investment is absolutely valueless to the employee unless he works for the scavenger company by which he is employed. In other words the employment is profit-sharing. If the employee is unable to work his only recourse is to sell his interest for what he can obtain in the open market. At the present time it is practically impossible to find a buyer for such interest.

In addition we wish to call to your attention that the selective service has made considerable inroads among the employees and that scavengers are difficult to obtain in the labor market. In addition, this type of work requires men of experience and it takes a number of years of apprenticeship to become as proficient as the enemy aliens above referred to. It is also to be noted that the only nationality which seems to take to the scavenger business is the Italian.

We would also like to point out that all scavengers leave for their employment before 6 a. m. The majority of them commence to work at approximately 3 a. m.

Very truly yours,

JOHN B. MOLINARI,
Attorneys for Scavengers' Protective Association.

EXHIBIT 30.—PETITION TO BE RELIEVED FROM ORDER OF EVACUATION

BEFORE THE HONORABLE FRANCIS BIDDLE, ATTORNEY GENERAL OF THE UNITED STATES

IN THE MATTER OF PAUL GIVANT, IRMY GIVANT, HIS WIFE, AND MINOR CHILDREN, ENEMY ALIENS

Submitted by Frederick Dubovsky, Attorney, 1916 Broadway, Oakland, Calif.

To the Honorable FRANCIS BIDDLE,
Attorney General of the United States:

The petition of Paul Givant and his wife, Irmy Givant, now residing at 1340 Grove Street in the city of Berkeley, county of Alameda, State of California, respectfully shows:

I. That their family consists of Paul Givant, petitioner herein; his wife, Irmy Givant; a son, Joachim Givant, age 6 years; and a daughter, Dagmar Givant, age 3 years.

II. That your petitioners emigrated to the United States from Mannheim, Germany, on January 9, 1937, and their passports were validated or visaed at the United States consulate at Stuttgard, Germany, and that they lived in the city of Berkeley continuously since the 26th day of January 1937, that their daughter Dagmar was born in the city of Berkeley. That the house they are living in is owned by them, having been acquired in October 1940.

III. That Petitioner Paul Givant and his wife have applied for naturalization papers immediately after their arrival in the United States and on June 28, 1941, have applied for their final papers of naturalization which proceedings are now pending in the United States District Court for the Northern District of California at San Francisco numbered, respectively, 22–62758 and 22–62759 therein and in normal times would have been heard and acted upon prior to the entry of the United States in this war with Germany and the reason for the delay is the press of business in the courts and administrative offices.

IV. That Petitioner Paul Givant is now and for a period of over 4 years next preceding was employed at the Columbia Steel Works at Pittsburg, Calif., in the capacity of installation engineer, that he is well equipped and qualified for his position with said plant both by reason of academic training and practical experience as he had to start at the bottom to work himself up to the present position, that he is informed and believes that he is performing very useful and needful work at the plant and that it will greatly inconvenience the plant to have to replace your petitioner by a person of less skill and adaptability to this particular job which is quite essential in the defense program.

V. That your petitioners are very much agrieved and humiliated at the idea that they should be designated as enemy aliens, for the reason that while they have not yet acquired legal citizenship their attitude to the people and Government of the United States is one of devotion and love and they came here not as mere sojourners but rather as pilgrims to stay here and make their lot with the people of the United States which evidenced from the very start by taking every step to become citizens without any delay whatsoever, by their investing of every cent they have in the world in a home and furnishings and also by the acquisition of defense bonds for the Givant family in the sum of $1,500 face value.

VI. Petitioners during the entire period they have lived in Berkeley have conducted themselves in an exemplary manner and are generally well known in the city of Berkeley as good, useful, and law-abiding residents and they stand ready to submit to any sort of investigation that the police department of the city of Berkeley or the Federal Bureau of Investigation could make and are ready to submit to any further investigation which Your Honor may be pleased to order in order not only to prove but to demonstrate their loyalty and devotion to this their adopted land, the land wherein their hopes and future are centered. Your petitioners at no time since they have left Germany had any wish or desire to return. They have made up their mind and action to put in their lot with the United States of America for better or worse in adversity as well as in prosperity and your petitioners stand ready to do anything which will aid this Nation in its present struggle with the Axis Powers or with any other powers for they consider this country their country regardless of any legalistic status based on formality.

VII. As it happens both the place of employment and the home of your petitioners are in what has been described in the news as prohibited areas, the plant probably without any question, the home with some slight probability that may be on the line or just west of the line. The enforcement of the order against your petitioners will cause great and irreparable hardship and loss upon your petitioners: First the loss of employment, which is quite a calamity for a man with a wife and two children; second, the abandonment of the home which is encumbered by mortgages may mean the loss of their life's savings and the hardship of finding a new dwelling in a community that is already hard pressed for homes, especially for a person without employment, is certainly a calamity that should not be visited upon a peaceful, loyal, and devoted resident who has nothing but the kindest and best wishes for the welfare of his adopted country.

So your petitioners humbly pray that Your Honor take such measures and order such a hearing, hearings, or investigations as in your judgment may be best for the safeguarding of the welfare of your petitioners and after such a hearing or investigation determine whether in your opinion your petitoners may be spared the hardship of the evacuation order.

Respectfully submitted.

Paul Givant,
Irmy Givant, *Petitioners.*

STATE OF CALIFORNIA,
County of Alameda, ss:

Paul Givant, being first duly sworn, deposes and says that he is one of the petitioners named in the foregoing petition, that he has read same and knows the contents thereof, and that the same is true in every particular, and that he makes this petition and vertification on behalf of himself and his wife.

Subscribed and sworn to before me this 8th day of February 1942.

FREDERICK DUBOVSKY,
Notary Public.

EXHIBIT 31.—STATEMENT BY THE INTERNATIONAL INSTITUTE FOR SERVICE TO IMMIGRANTS AND NEW AMERICANS (A COMMUNITY CHEST AGENCY), 1860 WASHINGTON STREET, SAN FRANCISCO, CALIF.

SUBMITTED BY ANNIE CLO WATSON, EXECUTIVE SECRETARY

MARCH 11, 1942.

The International Institute was established in 1918 and since that time has worked consistently for the social integration of immigrant people in American life. We appreciate the privilege of offering recommendations on the important subject of enemy aliens and second-generation Americans now under military orders.

Because the process of assimilation has been in progress for a long time it is difficult to draw a nice line between interests of alien and citizens. There are, for instance, in the Eurpoean groups affected by orders—

(1) Many families with both alien and citizen family members;

(2) Older men and women who came in before the literacy test was required;

(3) Older men who have belonged to the mobile labor supply which has been necessary in the development of this country, whose way of life has made it difficult to settle down and fulfill the requirements of naturalization;

(4) Aged parents who were brought over by naturalized sons and daughters;

(5) Those who have derived American citizenship from naturalized parents and for one reason or another are not in possession of documents proving their status;

(6) American-born women who lost citizenship by marriage to aliens and have not yet gone through the process of resumption;

(7) Those who have not been able to complete the naturalization process because of long administrative delays in overcrowded naturalization offices.

Another European group which deserves special mention in the "hardship class" is the German refugee. They are for the most part a stateless people by virtue of having been expatriated from Germany and of not yet having satisfied residence requirements for completing naturalization here.

The Japanese elders, being ineligible to citizenship, have, therefore, not been able to naturalize. Their American-born children are American citizens (Nisei). The majority have been brought up in American schools and colleges and have never been to Japan. A minority were sent to Japan for most of their education (Kibei). Not all Japanese parents registered their children for dual citizenship. There has been an active movement for a good many years on the part of the Nisei to renounce dual citizenship. Petitions have gone in from them to our State Department to assist them by trying to bring about a simplified procedure for expatriation. Several of their organizations, notable among which are the Japanese American Citizens Leagues, have long worked actively in bringing their membership into constructive civic participation. Though Japanese-American citizens are still young, the average age being about 20, there is a considerable number with third-generation American families. Our long acquaintance with Japanese-Americans leads us to believe that their loyalty compares favorably with that of all other second-generation Americans.

These people, European and Asiatic, who were in the process of assimilation, are now caught by world circumstances and have suddenly become subject to regulations affecting all enemy aliens. Because we are convinced by our long acquaintance with immigrant people that the term "enemy alien" in the large majority of cases is only technically applicable, we offer a few recommendations:

(1) That the greaetst care be taken to measure the extent of evacuation and

dislocation of the population by military necessity and not by surface urgency of groups seeking to further self interests.

(2) That plans for resettlement be made and carried out by agencies thoroughly aware of the social implications and skilled in the techniques of resettlement and rehabilitation on a large scale.

(3) That, therefore, both the moving and the resettlement be under the complete supervision of the Federal Government making use of existing local agencies both public and private as may be necessary, and bringing German, Italian, and Japanese-American citizen leaders into cooperation in planning and in putting plans into effect.

(4) That there be administrative machinery for reviewing hardship cases of aliens with provision for warranted exemptions.

(5) That American-citizen Japanese be given the privilege of establishing their loyalty before properly constituted hearing boards and that subsequent differentiation in treatment be shown them.

(6) That adequate custodianship of property be arranged.

(7) That advice be given through the press to deter unsupervised movement unless evacuees are able to plan with reasonable adequacy for their own resettlement.

(8) That adequate increase in funds allocated to the Naturalization Service be made in order that naturalization petitions may be currently handled.

The morale and the unity among the American people are, we believe, important factors in the defense of our cuntry. The United States is made up, as is perhaps no other country, of minority racial and cultural groups. The degree of loyalty of all American minorities has great significance both for actual defense efforts and for effective reconstruction when peace comes. We cannot, therefore, be too diligent in safeguarding the deep underlying values of American citizenship. One of those values is in willingly surrendering temporarily rights of citizenship to urgent military necessity.

This report is respectfully submitted with the offer of full cooperation to all Government authorities concerned with immigrant groups.

Exhibit 32.—Statement by Stanley S. Shimabukuro, the Japanese Young Men's Christian Association, 1530 Buchanan St., San Francisco, Calif.

March 17, 1942.

In this critical period of American destiny, it is so imperative in having a strong national unity and in achieving victory for the winning "peace that follows" that we cannot afford to judge individual loyalties of certain American elements by the background of race extraction. Neither are we in a position of accepting stories without foundation of fact just because that certain racial minority are the descendents of the now enemy force. The rumors should be subjugated immediately because public opinion is the very backbone of our gigantic weapon in crushing the totalitarians who aspire to enslave the democracies.

Since the inhuman Pearl Harbor attack Americans of Japanese ancestry have been the victims of circumstances. All sorts of ridiculous rumors have been circulating, much to the disadvantage of the American people. Such rumors could be attributed to the effort of the Axis propagandists but can we, democratic Americans, afford to let the hearsies take their roots.

It has been uttered that a considerable number of Hawaiian-born Americans of Japanese ancestry participated from within in the attack of Pearl Harbor so that the Japanese military fanatics may realize the destruction of the military values. Are those stories of blocking the highway leading to Pearl Harbor, huge arrow sign in the green cane-field, flashing of radio signals, and many other like narratives, authentic? Were there fifth-column activities fermented by the second-generation Japanese in Hawaii to jeopardize and reflect the other thousands of similar fellow descendents who professed to be loyal Americans? Can this ancestry be trusted in the titanic struggle to preserve American democracy and civilization?

There are approximately 120,000 Americans of Japanese ancestry in Hawaii and about 79,000 in the continental United States. They have reared and educated in the American institutions, to think, feel, and act as any other Americans do. Contrary of being imbued with such master-race philosophy, they honor and cherish the Constitution of the United States and its Bill of Rights.

In spite of the hardships they have endured resulting from racial prejudices mitigated by some unscruplous, un-American groups of people, they are aware that majority of the American general public are not at their throats. Their leaders have strong convictions in advising that they must neither surrender themselves to foolish optimism, nor succumb to timid and ignoble pessimism. They know that this is still America, and America is made of numerous races governed by truth, justice, tolerance, and liberty. They are truly proud to exercise and demonstrate their understanding of citizenship, and resent to be called Japanese except only in strictly ethnological sense. They are ever mindful of being truer Americans in a brighter America.

How accurately Hon. Joseph B. Poindexter, Governor of Territory of Hawaii, was when he stated before the war days that majority of the Hawaiian-born Japanese lineage are loyal and will defend America with their last ounce of energy in the event of a war between this country and Japan:

"So far as the second-generation Japanese are concerned," Governor Poindexter pointed out, "they will react the same as citizens of any other heritage. The Japanese born in Hawaii—at any rate a very great majority of them—would be loyal to his country; no trouble need be expected whatever. But there may be individual instances of disloyalty, which is something that can be expected from citizens of any other racial background. Take, for instance, the World War (first). The majority of the American-born Germans were loyal. There were some troubles in individual instances, of course. The loyalty of the great majority of Hawaiian-born Japanese can be depended upon."

In view of the foregoing statements, we trust that the Tolan committee shall have the outcome through unbiased, impartial investigations of all the known facts motivated by the American tradition of fair play. If the committee finds that the majority of Americans of Japanese ancestry are disloyal, unassimilated, and imperialistic may not you recommend to the Congress to revoke their American citizenship? And, if the body finds on the contrary, I implore you to report to the American people and their representatives at Washington that these elements are imbued with Yankee spirit, willing to fight and die in the glorious battlefields of this war, for everlasting conspicuousness of the Stars and Stripes which the world shall follow for generations to come.

EXHIBIT 33.—POSITION OF THE JAPANESE CHURCH FEDERATION OF NORTHERN CALIFORNIA, 1500 POST STREET, SAN FRANCISCO CALIF., ON THE RESETTLEMENT PROBLEMS ATTENDING JAPANESE EVACUATION

SUBMITTED BY RICHARD M. NEUSTADT, REGIONAL DIRECTOR, SOCIAL SECURITY BOARD, FEDERAL SECURITY AGENCY, SAN FRANCISCO, CALIF.

FEBRUARY 6, 1942.

GENTLEMEN: This is written in the hopes that in the case of mass evacuation becoming a necessity, the following will be a recommendation of the Northern California Japanese Christian Church Federation.

This recommendation is done in the hopes that we preserve the multiple problems that affect the families, the church, and the locale in relation to the continuance of Christianization and Americanization as well as a way of restoring the business and adjustments during post-war period.

I. That those Americans of Axis ancestry be given the dependency of caring for the welfare of the businesses wherever possible so that a minimum of adjustment need be made and that they be given the responsibility of caring for those over 65 years of age or over, for sick people, and for women and minors.

II. That safety zones or regions or colonies designed by the Government be made and should there be the necessity of farm projects, the following three choices be given to individuals or families:

(*a*) Private enterprise be permitted through the unfreezing of alien funds so that investment can be made on Government suggested projects, or projects designated by the Government.

(*b*) That private citizens with aliens be subsidized by the Government as a cooperative for farm projects in cooperation with Government agencies.

(*c*) That complete Government control, and administration of projects of farm, factories, etc., be established in designated areas.

That the Government will use Civilian Conservation Corps, Work Projects Administration, or other portable camps in the housing of these projects so that minimum of expenditure is maintained in the sparing of defense materials.

The above suggestion is done in the hopes that we will make projects self-supporting as well as contributing toward this country's defense.

Sincerely yours,

Rev. E. J. KAWAMORITA, *President.*

SOCIAL PROBLEMS EVIDENCED IN ENEMY ALIEN EVACUATION

All planning for the exclusion of persons from designated zones should take into consideration—

1. The social and economic changes in the lives of the persons resulting from exclusion.
2. The effect on the community from which they are moved.
3. The conditions which will develop in the communities in which they are settled.

Complete and detailed information about the persons to be excluded is imperative for comprehensive planning. Total registration seems the only means through which adequate data can be secured. At this point an interview to provide detailed information may seem time consuming but would be an investment in time which would ultimately reduce the total time spent in the total handling and make for more constructive treatment.

This interview could be used to complete all necessary forms. These forms should be sufficiently comprehensive to provide for all contingencies. A review and tabulation of the information should form the basis of instruction to the evacuee about all steps he must take preparatory to departure. All necessary forms for reporting change address, travel permits, etc., should be available at this point. The numerous places from which these forms were secured and to which they were sent has been confusing and it is indicated some persons may be found guilty of failure to file the proper forms through misunderstanding. In San Luis Obispo County the sheriff who was not authorized to issue travel permits gave them to families and individuals to move to Fresno County.

The magnitude of the number of persons to be interviewed and the variety of problems which they will present creates a situation which no single existing agency can handle with its present staff and facilities.

The place of social work staff would be largely directed toward facilitating the movement by providing service which would reduce the impact on the families and individuals involved. The social work staff contribution would be to assist in the total program by seeing all problems and relating them to other available services.

Some of these problems have been shown in the small evacuation resulting from Department of Justice orders and the value of this experience should not be lost in planning for large-scale action.

The following are some of these problems:

1. Liquidation of business at depressed prices because of uncertainty about the future. "Selling Out" signs appear in many store windows in "Little Tokio" in Los Angeles. Many nurseries are sacrificing stock voluntarily.

2. Uncertainty about proceeding to handle business and personal affairs in view of the impending program. The Los Angeles chapter of the American Red Cross had three telegrams on March 10 asking advice about granting leaves to Japanese-American citizens in the armed forces who wished to come home to settle the affairs of the parents who felt they must move at once.

3. Japanese aliens and Japanese-American citizens seem hesitant and frightened to ask for advice or assistance and are hurrying to make moves which may prove ill-planned and not timely.

Approximately 50 families from Monterey County moved to Santa Clara County thinking work was immediately available but upon reaching there found that no work could be secured for 4 months. The families who presented their problems to the social assistance worker and employment worker were sent to Salinas, in the county of their residence and where work was available within 1 month.

In Alameda County 210 Japanese families received permits to go to the southern part of the same county under the direction of the J. S. C. L. Jobs on farms were reported available but failed to materialize.

4. Although present reporting would indicate that German and Italian aliens will not be affected immediately and that certain exceptions will be granted these

groups there is now needed information to prevent equally hurried unwise moves as well as complacency which makes some feel certain that an exception will be granted and no move required.

5. Abilities and skills within the group of persons evacuated can in many instances be used for the benefit of others. Architects, businessmen, social workers, and clerks have indicated their desire to participate. These services to be used effectively must be under official direction. If used on a voluntary basis under the organizations with which they are now affiliated competition and and conflict will result. This has been evidenced in early attempts. The effort to form a United Citizens Federation among the Japanese failed because one organization the J. H. C. S. carried the major responsibility but didn't represent the philosophies of all affiliated organizations. Religious groups have attempted to build up plans for their own members which have been isolated from other groups. One outstanding example is the registration of 15,000 families by one religious group in Los Angeles which wants to be assigned the responsibility of taking this group to a new locality but wish complete Federal assistance in carrying out its program. Similar instances are reported in Washington.

6. Unplanned voluntary moves resulting from fear and uncertainty present health and behavior hazards. After one move from Terminal Island had been completed it was learned that a case of active tuberculosis had moved into an already overcrowded household of relatives. The family did not wish medical or financial assistance so no change in living arrangements was made.

Overcrowded living quarters characterized these moves generally. Later applications for assistance repeated many times the picture of a family of six, one of whom was aged and blind, having moved into a four-room home already occupied by four persons. One man was found to be living in a room without ventilation or sanitary facilities.

One elderly Japanese woman reported to have tuberculosis rushed from Terminal Island to a shack, on the beach in Ventura County near Caucasian friends. During a black-out she failed to extinguish her lights and local law-enforcement officers refused to allow her to return to her shack. She notified relatives in Los Angeles of her situation. These relatives communicated with the social worker at the Young Women's Christian Association who in turn worked with the social-assistance worker and together formulated a plan to have her live separately but close enough to relatives to have their companionship and care.

In Los Altos an Italian family was given a travel permit to go to Miami, Fla., in search of work. No plan had been worked out with a social-assistance worker. The family reached Los Angeles with only $60 left and decided that going to relatives in Boston would be preferable. When a social worker reviewed the situation it was found that the move had been unnecessary as the family had been incorrectly advised about the extent of the prohibited area. They returned to Los Altos. Had a social worker been available to plan with the family expense, confusion, and hardship could have been avoided.

A German jewelry worker in Monterey County had been having financial difficulty requiring assistance from the local county agency. This prevented his establishing legal settlement. When he discovered he was living in a prohibited area he asked a travel permit to Denver. The social worker recognized the possibility of dependency in Denver but the Employment Service issued the travel permit.

Dependency did occur shortly after arrival in Denver and the agency there refused assistance. The lack of control over social planning in issuing travel permits created extreme hardship for this family.

The problem of a family of eight children on Terminal Island would have been greatly aggravated had not the services of a social worker been available. The father was interned and the mother in a hospital for the insane. The oldest child, a boy of 20, was unable to handle arrangements for moving and caring for the children. The three oldest children were placed in the American Travels Service Committee Hostel and the five youngest in the Japanese Children's Home. For the first time since the family was broken up the children are receiving adequate care.

7. While assistance with moving remains on the basis of need, many people fear that accepting assistance may result in deportation after the war.

8. Special groups cannot be served by a mass program. Aged persons, those in sanitoriums and hospitals, children in institutions and boarding homes, and maternity cases need special handling.

Already questions have been raised regarding two Japanese children's homes in Los Angeles. Should they be moved intact or could the children be allowed to remain? If they remain how could administration be carried on in the home that is operated entirely by Japanese-American citizens who would be forced to leave? What would be the position of the children in the community if all other Japanese have been removed? Similar problems have been raised in other communities.

Children receiving long-time orthopedic care are being cared for in private boarding homes. Some are in casts and would be moved only with great difficulty, and preliminary medical work would be wasted unless properly followed up.

9. As soon as evacuation orders are issued a rush of requests for exception can be anticipated. Already prominent persons are inquiring about being allowed to retain employees under their own custody. The limitations of such exceptions must be clearly defined.

10. "What is Japanese lineage" will raise numerous questions. Cases involving one Caucasion and one Japanese parent have already been encountered as have cases involving one Negro and one Japanese parent. In one case the father would be included in the Japanese alien group, the children as Japanese lineage and the mother as a German alien.

11. Hardship caused by private action in anticipation of official action has occurred frequently. Sixty leases on the Palos Verdes Estates were canceled because the company felt the Japanese tenants should be evacuated from that section of the coast immediately. Over 100 retail clerks in vegetable sections were dismissed by Von's and Fitzsimon's markets because their presences were deemed detrimental to trade.

In San Joaquin County, the Southern Pacific and Pacific Gas & Electric Co. dismissed employees because of alien enemy status.

Los Angeles city and county forced civil service employees to take leaves of absence. Nutritionists, social workers, and other trained workers were separated by this action.

12. The groups evacuated from Terminal Island are in many instances inadequately housed in schools and churches. Household goods are stored without proper protection or sorting. The usefulness of these facilities for even 5 or 6 weeks more is doubtful, but additional moves seem unwise in view of a possible two moves later.

13. Japanese citizens who may not be involved in the first group feel that they may be unsafe when the evacuation of alien Japanese has started and some who have no member of their family involved wish to go at the first opportunity.

14. Time to pack and store is necessary if the expense of replacing lost possessions is not to be encountered. Hurried moves with improper packing ruined stoves, pianos, refrigerators, etc. An estimated eight truck loads of household equipment, fishing supplies, were left on Terminal Island alone. Similar events occurred in Monterey County and in Marin County.

GENERAL CONCLUSIONS

First consideration simplifications:

1. To avoid confusion created through being unable to determine whether directions are applicable.
2. To prevent the development of additional problems by erroneous staff interpretation.
3. To eliminate contradictory statements being issued to persons involved.
4. Prevent wide dispersion of authority and responsibility. Suggested means of simplification:

1. Comprehensive cooperative planning on the part of all agencies involved. This should take into consideration interdepartmental activities within agencies.
2. Extensive control even where voluntary movement is advisable.
3. Central registration to secure a comprehensive picture of all factors involved. This should include all social and economic data, rapidly and accurately tabulated.
4. Early and wide and official dissemination of regulatory and procedural information. This should cover all agencies public and private as well as persons affected by them.

5. Integrated administration of cooperatively developed plans:
    - (*a*) Information.
    - (*b*) Social assistance.
    - (*c*) Medical care.
    - (*d*) Housing.
    - (*e*) Property.
        - (1) Business.
        - (2) Real property.
        - (3) Personal property.
        - (4) Household goods.
    - (*f*) Employment.
    - (*g*) Education.

EXHIBIT 34.—THE EXPATRIATED GERMAN JEW

MATERIAL SUBMITTED BY H. M. JONAS, L. L. D., 569 TWELFTH AVENUE, SAN FRANCISCO, CALIF.

SAN FRANCISCO, CALIF., *March 23, 1942.*

Re expatriates.

Hon. JOHN H. TOLAN,
House of Representatives, Washington, D. C.

DEAR SIR: Assuming that the enclosed cutting from an article published by Mr. Chester Rowell, editor of the San Francisco Chronicle, might be helpful in your difficult task, I take the liberty forwarding it by air mail to you.

I furthermore enclose a copy of the official translation of the German expatriation and confiscation law, as handed to me by the Swiss consul in San Francisco.

The expression "Jew" in Hitler's law is similar to the classification of "Hebrew race," as provided for in the Johnson Immigration Act of 1923. Such status was sworn to in the case of each immigrant before the American consul abroad, particularly since January 30, 1933, Hitler's assumption of power.

All these papers are filed with the Justice Department and, of course, open for inspection to all authorities.

If Mr. Rowell's proposition would be accepted by your committee and by Congress it would save an enormous amount of work for the courts and tribunals to be established for that purpose and on the other hand would give them more time to examine cases of such persons as German nationals of German race or other aliens, in contrast to Hebrews, which group was expatriated and their property taken from them by a tyrant's whim.

Thanking you for your attention,

Respectfully yours,

H. M. JONAS, LL. D.

EXCERPT FROM EDITORIAL APPEARING IN THE SAN FRANCISCO CHRONICLE, MARCH 23, 1942, BY CHESTER ROWELL

The Tolan committee, which made public these denials, also took up the case of another and especially appealing group of persons technically enemy aliens, who are not enemies at all, and are not even citizens of an enemy country—or of any country, until their process of becoming citizens of this country is complete. These are the "stateless" refugees, most of them, though not all, Jewish, who have been deprived of their German citizenship by German law, but were German citizens at the time they became "stateless." Unless our law is changed, these are now all registered as enemy aliens and subject to evacuation as such. Actually, of course, nearly all of them are even more anti-Hitler than we are.

The Tolan committee recommends that these be treated individually, each on the merits of his own case. A still better way would be to establish by law a new classification of expatriates, with the presumption of innocence except where guilt or grounded suspicion could be established.

(Copy from Swiss consul)

Eleventh executive order to the Reich Nationality Act of November 25, 1941, Reich Public Gazette, part 1, No. 135:

SECTION 1. A Jew who has his ordinary residence abroad cannot be a German citizen. Ordinary residence abroad exists if a Jew lives abroad under circumstances which indicate that he does not live there only temporarily.

SEC. 2. A Jew loses German citizenship (*a*) if, at the time this executive order becomes effective he has his ordinary residence abroad, he loses it when this executive order becomes effective; (*b*) if he takes up his ordinary residence abroad later, he loses it at the time of his taking ordinary residence abroad.

SEC. 3. The property of the Jew who loses citizenship through this executive order is forfeited together with the loss of citizenship to the Reich. Furthermore, the property of Jews who at the time this executive order becomes effective are stateless and who immediately prior thereto had German citizenship, if they have taken or take up their residence abroad, is confiscated.

Property so forfeited shall be used to further all aims connected with the solution of the Jewish problem.

EXHIBIT 35.—LETTER ON ENEMY ALIEN EVACUATION SUBMITTED BY HON. EARL WARREN, ATTORNEY GENERAL OF CALIFORNIA, STATE BUILDING, SAN FRANCISCO, CALIF.

HAGAR, CROSBY & CROSBY, ATTORNEYS AT LAW,
1421 CENTRAL BANK BUILDING,
Oakland, Calif., March 6, 1942.

HON. EARL WARREN,
Attorney General,
State Building, San Francisco, Calif.

DEAR EARL: Following our last conference, I have checked as carefully as I have been able to do both Federal and State laws and military law with regard to a possible solution of the enemy alien and the Japanese-American problem.

I have approached this matter, in general, along the lines of our discussion, and I think that certain definite premises should be considered:

(*a*) There is a definite distinction and difference between the Japanese-American, Italian-American, and German-American, as to their loyalty, willingness to cooperate, trustworthiness, and general moral integrity. It is unfortunate that the Japanese-American must be placed in a different category than the Italian-American and the German-American, but I feel that must be done. Consideration also should be given to the fact that many of the Japanese-Americans have been sent back to Japan, there to be indoctrinated with the philosophy of Japan, and have returned to the United States. In general, I think probably those persons should be more carefully watched than many Japanese aliens who, because of restrictions in our immigration laws, are quite elderly (many of them are in their late 60's, 70's, and older).

(*b*) The problem of the Japanese-American cannot be decided on the basis of citizenship. These Japanese-Americans are, of course, citizens and we cannot blind ourselves to the possible military necessity of their evacuation from certain strategic areas.

(*c*) Many Japanese-Americans own an astounding amount of land in close proximity to military objectives, reservoirs, plants and factories, utilities, airports, etc., to the definite detriment of our security. This ownership (and particularly the location) cannot be brushed aside lightly, and it seems quite obvious, in many cases, that it was the result of careful planning.

(*d*) While there are many farms owned by Japanese-Americans, many such farms containing large acreages employ a considerable amount of white labor. Often a majority of the work is actually done by other than the Japanese or Japanese-Americans. The evacuation of these people will not jeopardize our food supply to the extent first published.

(*e*) This problem cannot be solved by the alien land law. The alien land law was enacted to accomplish a definite result and, legally, it cannot be expanded to cover the instant situation. As far as any law of that type is concerned, if a person is an American citizen (which, of course, the Japanese-American is), constitutionally he would have the right to acquire ownership of any land and it cannot be taken from him.

(*f*) I know of no State law which could solve this problem, or which could be enacted to accomplish the desired result. I can find no theory upon which a new law could be drafted. From a practical standpoint, the legislature does not meet until 1943. If a special session of the legislature should be called to consider this subject, I am sure it would be the result of hysteria; that we would go to excesses, and any such law (even assuming that one could be drafted to cover this situation) would result in extremes.

(*g*) This is strictly a Federal and military problem, and must be approached in that light. It is Federal because of the fact that more than California may be affected and, in the event of any contemplated invasion or bombardment of the Atlantic coast, or other coasts, the matter should be decided in all areas or upon the same broad principles and by Federal statute or regulation. It is military because the security of the Nation is involved.

(*h*) The citizenry cannot and should not attempt to solve this problem, it should be strictly left to the military authorities to determine whether or not it is essential from a military standpoint that these Japanese-Americans be evacuated.

The military authorities have the Federal Bureau of Investigation at their disposal and other means of intelligence and, putting all the information obtained by them together, are in an infinitely better position to determine what should and should not be done.

Apparently the Army has decided that it is essential that Japanese-Americans be evacuated from certain areas. That having been done, we must consider what is the best method to accomplish this and what further steps should be taken to insure our military security and comply with our laws.

The evacuation of these Japanese-American citizens is going to be very hard and harsh in many cases. The best that can be hoped is that loyal Japanese-Americans (and I am confident that there are many) will show their loyalty in their calm acceptance of this military necessity.

I think the following things should be considered.

(1) If these Japanese-Americans are to be evacuated, arrangements must be made for them to go somewhere. This, of course, applies to the Japanese aliens as well. It cannot be done unless some careful arrangements have been made, preferably in advance, as to where and how they are to be evacuated and what is to be done with them when they get there. If the press reports are correct, one Western Governor has indicated the willingness of his people to have the evacuees go to his State, while on the other hand the Governors of other States have taken opposite positions. Housing facilities must be considered, medical attention, methods of taking care of these people upon their arrival, whether they are to be given an opportunity to work or whether there is to be an internment camp without any opportunity of support, etc. Some Federal agency must be charged with this evacuation and all of its attendant details.

(2) I think that if the evacuation order is to be made, it must be made upon the basis of the right of the Government to exclude all people from prohibited areas (citizens and aliens alike) and then, in effect, license the return of those persons whose presence may be permitted from a military standpoint. I can see no other possible constitutional theory for doing this.

(*3*) The loyal Japanese-Americans should be given some reasonable opportunity to prove that it is unnecessary for them to remain outside of a specified area. Some areas may be designated as prohibited areas to all Japanese and Japanese-Americans, while some other areas may be such that from a military standpoint it is not necessary to exclude all Japanese-Americans permanently. The military authorities must decide this question. I think some board or other tribunal could be set up to determine whether the Japanese-Americans safely could be permitted to return to certain areas. These tribunals should be entirely divorced from politics, and I recognize that this would be an extremely hard and difficult thing to do. When the draft boards were set up, at the request of the adjutant general of the State of California, the State bar recommended for appointment some 400 appeal agents for California, and all of these were appointed. Having been president of the State bar at that time, I can definitely assure you that appointments were made without consideration of politics and I have never heard any criticism about them. I do not say that that, necessarily, should be the method of appointment here, but it is at least some possible solution.

(4) You, as attorney general of the State, should see that the alien land law is enforced calmly and without any hysterical approach. I think you should complete all maps showing ownerships in various areas as promptly as possible and if there have been violations I think you should take action. If American citizens (of any race or extraction) have conspired with Japanese aliens to violate this law, I feel that they are entitled to even less consideration than the Japanese alien who likewise violated the law.

(5) A Federal property custodian (with substantially the same powers as the Alien Property Custodian in the last war) should take charge of the property of any evacuee, and should efficiently, honestly, and intelligently handle the property of the evacuees, free from all political considerations.

(6) If there are any parcels of property owned in the immediate vicinity of military reservations, etc., which are necessary to the Government from a military standpoint, or if there are other properties owned which are necessary to the security of the Nation, the Federal Government should avail itself of the right of condemnation and take immediate possession. The maps which are being prepared under your direction will be of great assistance.

(7) A careful investigation should be made of all Japanese aliens who have gone to Japan, ostensibly to complete their educations, and then returned to the United States. Frankly, I think the loyalty of these is more open to question than that of a Japanese alien or Japanese-American who has remained in the United States, because the former have gone there for a purpose and have been steeped in the Japanese philosophy.

I think this matter should be approached in a calm and dispassionate manner and upon lines of constitutional law. When this war is over we will have to live with the Japanese-American citizens and others, and we should not take action which is based on the theory of the Axis Powers which we are fighting. It should be handled through our democratic and legal processes, giving in all cases military necessity the first consideration.

Aside from everything else, if we simply herd these people out of certain areas without making adequate and legal provisions for them, they will then become excellent material for all radical ideas in opposition to our Government.

Sincerely yours,

GERALD H. HAGAR.

NOTE.—A combined index for Parts 29, 30, and 31, the hearings held on the Pacific coast in relation to the problems of evacuation of enemy aliens, will be found in the back of Part 31.

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